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H – 5158

International Court of Justice

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Mr Rudenko
English

FINAL STATEMENT

BY

LIEUTENANT GENERAL R.A. RUDENKO

CHIEF PROSECUTOR ON BEHALF OF USSR

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MY LORD

YOUR HONORS!

We are summing up the results of the legal proceedings against the major German war criminals.

During nine months, all the aspects of the case and all the evidence, presented to the Tribunal by the Prosecution and by the Defense, have been subjected to the most meticulous and detailed examination.

Not a single point of the deeds with which the defendants have been accused, has been left without verification, not a single significant circumstance has been overlooked during the investigation of the present case.

For the first time in the history of mankind, criminals against humanity are being held responsible for their crimes before an International Criminal Tribunal; for the first time, nations are trying those who had inundated vast expanses of the earth with blood, who had annihilated millions of innocent people, destroyed cultural treasures, who had made a system of massacres, tortures, extermination of aged people, women and children, who had made a wild claim to the mastery of the world and hurled it into an abyss of unheard-of calamities.

Indeed, this trial is the first of its kind in the history of justice. A Tribunal sits in judgement, a Tribunal created by the peace-loving and freedom-loving countries, who represent the will of and who defend the interests of the whole progress-loving mankind, which does not wish the recurrence of calamities, which will not permit a gang of criminals to carry out with impunity their preparations for the enslavement of nations and the extermination of peoples, prior to realizing their heinous plans.

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Mankind calls the criminals to account; and on the behalf of mankind, we, the prosecutors, accuse at this trial.

And how pitiful are the efforts to dispute the right of mankind to judge the enemies of mankind, how vain the efforts to deprive nations of the right to punish those who made the enslavement and the extermination of peoples - their aim, and who for many years strove to realize this criminal aim by criminal methods.

The present trial is being conducted in such a manner that the defendants, who are accused of the most heinous crimes, are given all the possibilities for a defense, all the necessary legal guarantees.

In their own country, the defendants who stood at the head of the Government, destroyed all legal forms of justice, and discarded all the principles of legal proceedings accepted by civilized mankind.

But they themselves are being tried by the International Court in accordance with all legal guarantees and they are assured of all the defense rights.

We are now summing up the results of the legal proceedings, we are drawing conclusions from the evidence examined before the Court, we are considering all the data upon which the accusation is based.

We ask: were the charges put against the defendants proved before the Court, has their guilt been established?

To this question, there is only one answer: the legal proceedings fully confirmed the charges.

We incriminate the defendants only of those facts which have been fully establish and proved to the Court beyond all doubt, whilst all the monstrous crimes have been proved, crimes which were prepared

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over a period of many years by a band of wild criminals, who seized power in Germany, and who perpetrated these crimes during many years, having no regard for the principles of law or the most elementary standards of human morality.

These crimes have been proved, the defendants' testimonies and the arguments of the defense have been powerless to contend the charges - they cannot be contended because it is impossible to contend the truth, and truth is the lasting result of this trial, the unfailing issue of our long and stubborn efforts.

All the elements of the charges have been proved. It has been proved that there existed a common plan or conspiracy for the preparation of aggressive wars, in violation of international law, the enslavement and the exterminatio of peoples, in which the defendants took part.

There can be no doubt as to the existence of such a plan or conspiracy just, as there is no doubt about the leading part played in it by the defendants.

This point of the accusation is confirmed by all the data brought in during the legal proceeding, by irrefutable documents, by the testimonies of witnesses and of the defendants themselves.

All the activity of the defendants was directed towards the preparation and the initiation of aggressive wars. All their so-called "ideological work" consisted in the cultivation of beastly instincts, in the instillation of the absurd idea of racial superiority, in the conscience of the German people and in the practical realization of the plans for extermination and enslavement of the peoples of "inferior" races, who were supposed to serve as a fertiliser for the growth of the "master race".

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Their "ideological work" consisted in calling to murder, to plunder, to the destruction of culture, and the extermination of human beings.

The defendants prepared these crimes long in advance and then committed them, attacking other countries, seizing foreign territories, exterminating people.

When was this plan or conspiracy conceived?

Of course, it is hardly possible to give an exact date - day and hour - on which the defendants conspired to commit their crimes.

We cannot and shall not establish our conclusions and assertions on guesses and suppositions, but it must be considered as established beyond doubt that from the moment when the fascists seized power in Germany they started the realization of their aims and utilized this power for the preparation of aggressive war. Indeed, immediately after their seizure of power, the fascists began to carry out a huge programme of rearmament and reconversion of economy for war purposes.

All the activity of the defendants was directed towards the preparation of Germany for war.

This rearmament and reconversion of economy for war purposes is an irrefutable fact - it has been proved by documents and admitted by the defendants themselves.

We may ask, what was this war for which the defendants began to prepare immediately after the seizure of power? Could this be a defensive war?

But nobody intended attacking Germany; nobody had such an idea, and - in my opinion - such an idea could not have even existed.

As Germany was not preparing for a defensive war and in as much as the very fact that she did prepare for war is established - it is evident that she was preparing for a war of aggression. That is the logic of the facts and such are the facts themselves. Germany initiated and waged the war which she had been preparing, and in 1937-1939 happened just that for what she had been preparing in 1933.

Hence we may conclude: the plan or the conspiracy existed at least since 19 i.e. from the moment when the Fascists seized the power and used it for thei own criminal purposes.

These are the facts which are confirmed by the words of the defendants themselves uttered at a time when they did not suppose that they ever will be defendants.

It is enough to mention the addresses of Schacht, Krupp and others in which they describe how the Fascist Government was preparing for war and how all the fields of political and economic life were subjected to this one purpose.

I consider fully proved the charges against the defendants to the effect, that in 1933 when the Hitlerites seized the power in Germany they created a plan or conspiracy including the perpetration of crimes against peace, war crimes and crimes against humanity.

The legal proceedings have fully proved the crimes against peace perpetrated by the defendants, which consist in planning, preparing, initiating and waging aggressive wars, in violation of international treaties, agreements and assurances.

The facts here speak for themselves; wars which involved innumerable victims and destructions; wars - the aggressive nature of which has been undoubtedly established.

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The guilt of the defendants in having committed crimes against peace has been fully proved.

The charge of perpetrating war crimes, in waging war by methods contrary to the laws and customs of war, have been fully proved.

Neither the defendants themselves, nor their counsel of defense could make any objections to the very facts of their having committed these crimes.

All that they could say to this, was that the defendants themselves had not committed these atrocities the extermination of people, "murder vans" and concentration camps: they had not destroyed the Jews with their own hands, and had not even known about such particular facts. But that such facts existed the defendants themselves do not deny.

The defendants admit these facts.

A fruitless method of defense!

Certainly, the defendants occupying high leading posts in Hitler's Germany were in no need of shooting, hanging, smothering, freezing live people themselves by way of experiment and so on...

Their subordinates did that according to their instructions; henchmen did, so to say, the dirty work; whilst the defendants only had to give orders which were incontestably obeyed.

Therefore, the attempts of the defendants to deny their connection with the henchmen, to separate themselves from them, were hopeless.

This connection is evident and indisputable. If the Commandant of Auschwitz, Rudolph Hoess, pulled out the golden teeth of the dead, we may say that the Reichsminister, Walter Funk, opened special safes in the cellars of the Reichsbank to keep these golden teeth in.

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If the subordinates of Kaltenbrunner exterminated people in "murder vans", the vans themselves were built at the works of Sauer, Daimler and Wenz, the subordinates of the defendant Speer.

If the prisoners of war were destroyed by professional henchmen of the unit "Toten Kopf" ("Dead Head") and by the guards of the camp, the orders to exterminate were signed by Fieldmarshal of the German Army, Keitel. That is to say the defendants appointed the terms of extermination, issued the orders to create a special technique of murder, explained the reasons for the right of the master races to exterminate"inferior races.

It was they who were calmly and ruthlessly watching the tortured victims and, as Hans Frank making solemn speeches about "one more step" taken by German Fascism towards clearing "the living space" of "inferior races."

For every murder, for every drop of innocent blood shed by Hitler's henchmen, the defendants are responsible, for between them and the direct perpetraters of the crimes, murder, torture, there is a difference only in rank and scope of action: those are the direct henchmen, and these are the principal henchmen, the chiefs of the henchmen, henchmen of a higher grade. They are far more dangerous than those trained in the spirit of hatred towards humanity and wild fanaticism, whom they now repudiate in order to save themselves.

The criminality of the defendants in the perpetration of war crimes has been fully proved; that they instituted a system of exterminating war prisoners, peaceful inhabitants, women, old men and children; it is their fault, that wherever the German soldier stepped, there lay heaps of murdered and tortured people, ruins and places left barren by fire, land desecrated and covered with blood.

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The crimes committed against humanity have been completely proved. We cannot omit the crimes committed by the defendants in Germany during their domination: the extermination of all those who expressed their discontent in any way with the Nazi regime, slave labor and extermination of people in concentration camps, mass extermination of Jews, and the same slave lab(and extermination of people in the occupied territories, all this has been proved and the charges are irrefutable. What means of defense have the counsels used, what kind of proofs and arguments could they give to refute the charges?

The arguments of the defendants may be divided into two main groups. First, a number of witnesses summoned by the defense counsel. These witnesses had to extenuate the guilt of the defendants with their evidence, to diminish the part taken by them in committing the crimes, rehabilitating them by all means.

These witnesses themselves were in most cases defendants in other trials.

How can we speak about the objectivity and authenticity of the evidence given by the witnesses of the defense, if the innocense of the defendant Funk should be confirmed by his deputy and accomplice, member of SS since 1931, HELLER, bearing the rank of "Gruppenfuehrer SS"; if the criminal RAINER, member of the Fascist Party since 1930, and Gauleiter of Salzburg, and then of Kaernten was summoned to give evidence on behalf of Seyss-Inquart.

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Those so called "witnesses", such as for instance BUHLER – the right hand of the defendant FRANK and accomplice to all his crimes, or BOHLE, one of the principal leaders of the spying activities of the Hitlerites and chief of the foreign section of the fascist party, came here in order to commit a perjury to try to protect their former "bosses" and to save their own lives.

Nevertheless most of the "witnesses" for the defense during the interrogatio became – witnesses for the prosecution. They were convicted by the "mute witnesses" – documents, mostly German; they themselves were forced to expose those whom they intended to protect.

Another type of the means used by the defense – are the legal arguments and considerations.

Some legal aspects of the Trial.

The accusation in the present trial is based on enormous quantity of irrefutable facts and strongly established on the principles of law and justice. Therefore, already in the opening speeches for the prosecution, so much attention had been paid to the legal aspect of the responsibility of the defendants.

In the speeches of the defense a number of legal questions was raised again:

a) Of the importance of the principle "Nulla crimen sine lege"

b) Of the importance of the order

c) Of the responsibility of the State and individuals

d) Of the concept of conspiracy.

Therefore I consider it necessary to return again to some legal questions in order to answer to the attempts of the defense to

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confuse the simple and clear statements and to change the legal argumentation into a kind of "smoke-screen" in an effort to conceal from the Tribunal the gruesome reality of the fascist crimes.

a) Principle "Nullum Crimen sine lege"

The defense attempted to deny the accusation by proving, that at the time when the defendants were perpetrating the offenses incriminated to them, the latter had not been foreseen by the existing laws, and therefore the defendants bear no criminal responsibility for them.

I could simply refer to the principle "Nulla Crimen Sine Lege," as the Charter of I.M.T., which is an immutable law, provides that this Tribunal "shall have the power to try and punish persons, who acting in the interest of European Axis countries, whether as individuals or as members of organisation" committed any of the crimes enumerated in Art.6 of the Charter.

Therefore from the legal point of view, the sentence can be pronounced and carried out without requiring the deeds incriminated to the defendants to be foreseen by the criminal law at the time of their perpetration. Nevertheless, it is without doubt that the deeds of the defendants at the time when they were being committed, were criminal acts from the point of view of the existing criminal law.

The principles of criminal law contained in the Charter of I.M.T. are the expression of the principles contained in a number of international agreement enumerated in my opening statement of 8th February 1946 and in the criminal law of all civilized

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countries.

The law of all civilised countries pmpo imposes criminal responsibility for murder, torture, violence, plunder and so on. The fact that those crimes have been initiated by the defendants on a scale surpassing human imaginatior and bear the marks of unheard of sadistic cruelty - does not, of course, exclude, but on the contrary increases many times the responsibility of the defendants.

If the defendants had committed the crimes on the territory and in respect of the citizens of any country, according to the Declaration of the Heads of the Governments of USSR, Great Britain and United States of America, published on 2 November 1943, and - in full agreement with the universally accepted principles of criminal law, they would be tried in that country and according to its laws.

This Declaration set forth that "the German officers, soldiers and members of the Nazi Party who were responsible for the above-mentioned cruelties, murder and executions, or who voluntarily took part in those, would be deported to the countries where those grisesome crimes had been committed, in order to be tried and punished according to the law of those liberated countries and free governments, which would be established there."

Nevertheless, the defendants are war criminals "whose offenses have no partic geographical location" (Article 1 of the Agreement of the Four Powers of the 8th August 1945), and, therefore, the IMT, acting in accordance with the Charter, is competent to try their crimes. The Counsel for the defendant Hess took the liberty to affirm that there can be no doubt, that the crimes against peace as they are stated in Article 6, Paragraph 2, of the Charter, do not exist.

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It is not necessary to make any reference here to the international agreements (as I have already mentioned them in my opening statement on the 2nd February 1946), in which the aggressive war was declared an international crime.

They are charged with deeds which the civilised humanity had long ago recognized as criminal.

B. Execution of an Order

Some of the defendants in their deposition before the Tribunal attempted to present themselves as poor dwarfs, blind and obedient executors of another's will - the will of Hitler.

In the search for a legal basis for this attitude, the Defense Counsel JAHRREISS, spoke at length about Hitler's order. In the opinion of Counsel JAHRREISS Hitler's order "was different" from the order of any other leader; that Hitler's order was an act "legally immutable". Therefore, Counsel JAHRREISS asserts that:"Whatever the Charter . . may mean by the orders which it rejects,in as much as a factor excluding criminal responsibility, is it possible to take the same attitude towards an order of Hitler? Could this order be considered as an "order" in the meaning of the Charter?

The right to interprete law is an irrefutable right of all lawyers, including the Defense Counsels. Nevertheless, it is uncomprehensible what logical or other methods were guiding his assertion that the provisions of the Charter specially elaborated

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for the trial of major war criminals of the fascist Germany, did not indeed aim at the very conditions of the activity of these criminals.

What orders then, issued by whom and in what country, are meant by the Charter of the Tribunal?

It is on the contrary indisputable that: the authors of the Charter were fully aware of the specific conditions existing in Hitlerite Germany, were thoroughly familiar (by means of the material of the Kharkov and other trials) with the attempts of the defendants to hide themselves behind Hitler's orders, and it is for this very reason that they made a special provision to the effect that the execution of an obviously criminal order does not free from criminal responsibility.

c/ Responsibility of countries and individuals.

We think that the very authors of this attempt to hide a large group of ministers, Gauleiters and war commanders behind Hitler's back, became to a certain extent, doubtful of the convincing power of such a defensive manoeuvre seeing that a new line of defense was set up to assist this manoeuvre.

" If the German Reich began an attack in spite of the still-existant non-aggression pact - said the counsel Jahrreis, then Germany committed an international offense and must answer for it according to the principles of international law ... the Reich alone, but not an individual person".

We cannot in the first place, omit to notice that the above point of view is not exactly new: even before the beginning of the official defense at this trial, certain unofficial defenders of war criminals willingly propagated the version to the effect that it was the German government and the German nation, who were to bear responsibility for the criminal aggression and war crimes, and not individual persons.

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When the subject of international law, i.e. a state, violates the principles of international law, this entails certain consequences of an international character, but in no case does it entail the criminal responsibility of the state.

Any action on the part of the state in the sphere of international relations, is committed by physical persons, by officials and by the agents of that state.

In carrying out such acts, these individuals may be guilty of the most varied offen in violation of either the common or the criminal law.

In the latter case, i.e. when their individual criminal responsibility is involved, they bear this responsibility in appropriate cases, in conformity with the laws and before the courts of their own country, as well as - if such is the case - in conformity with the laws and before the courts of a foreign state.

In the present case, not only did the Hitlerite State violate principles of international law, resulting in measures taken against the states, but also some individuals, in committing those acts, have personally committed criminal offenses, for which they bear the criminal responsibility in accordance with the Charter before the International Military Tribunal.

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г/ Concerning the concept of conspiracy.

The counsels of defense are unanimous in trying, by different ways and versions, to dispute the charges of criminal conspiracy made against the defendants. Extracting from various sources one-sided, tendentiously selected definitions of the conspiracy, the counsels have tried to prove that Goering, Hess, Ribbentrop and others cannot be considered as accomplices of the conspiracy.

I should like to quote here several arguments proving the groundlessness of the statements of the defense.

The conspiracy implies the existence of a criminal society created and acting to achieve common criminal purposes. Such a society doubtlessly existed. It stands to reason that in this case the threads and levers uniting the members of this conspiratory criminal society are very complicated, as the conspirators had seized the government of a country.

In any criminal society and particularly in a numerous society with many ramifications, separate accomplices commit criminal acts comprised by the general plan of the conspiracy, but they can practically remain unknown to a number of the members of this society. Nevertheless as these crimes result from a single criminal plan, common to the whole society, the accomplices who have not personally committed these separate criminal actions and were not practically informed of them, bear the responsibility for them.

In this special case the existence of the conspiracy is not precluded by the circumstance, that, for instance, Schirach could be unaware of some of the measures of the slave trader Sauckel or the "pogrom maker" Streicher,

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Neither is the existence of the conspiracy precluded by the differences of opinion among individual accomplices of the conspiracy concerning particular questions /the intrigues of Goering against Bormann etc./

Such dissensions may take place in any band of robbers of thieves, but the band does not cease to exist on account of this.

Nearly in every society there exists a certain hierarchy among its members. Very often the head of a criminal band usurps the unlimited power over the other members of the band, even the very right of life and death.

However it seems that it never occurred to any lawyer in the world to deny the existence of a criminal society only because its accomplices were not alike and one of them had power over the others.

It is at any rate strange to deny the existence of the conspiracy in the present case on account of the indisputable fact that great personal power was concentrated in the hands of the leader - Hitler. In the same way the existence of the conspiracy does not preclude but on the contrary it implies a definite distribution of the parts played by the accomplices of the criminal group, when achieving the common aim (one coordinates the entire criminal activity, the other is in charge of the questions of ideologic training, the third one prepares the army, the fourth organises the work of the war industry, the fifth carries on the diplomatic preparations, etc.) Therefore, the Fascist conspiracy does not cease being a conspiracy, but is a conspiracy which presents special danger, because the whole machinery of the government and enormous resources of men and material are in the hands of the conspirators.

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In the hands of the international criminals, in the hands of Goering, Keitel and other defendants the enormous forces of people become an instrument of heavy crimes.

This is the reason why these special traits that distinguish the conspirators of Fascist Germany from any other band lend it a special dangerous character without changing the legal character of the conspiracy.

Thus I complete the analysis of the legal arguments of the defense, which were examined in detail by my honorable colleagues.
As you have seen, your Honors, the arguments of the defense were found to be inconsistent and incapable of refuting the charges.

Now I shall consider the question concerning the guilt of individual defendants.

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INDIVIDUAL RESPONSIBILITY

GOERING

In Hitlerite Germany the defendant GOERING was next in importance to Hitler himself, he was his first successor. He took upon himself extensive powers, and seized the most responsible posts.

He was the President of the Cabinet of Ministers for the Defense of the Reich, he was the Fuehrer for the direction of German economy,- the Plenipontentiary General for the Four Year Plan and the Commander-in-Chief of the Airforce. The main point is that this extensive field was utilized by him and all his forces were dedictated to the organization and the realization of the crimes which are set out in the Indictment.

As we already know, the essential element of this conspiracy consisted in the submission of Europe prior to world supremacy of the Hitlerite Germany, regardless of any methods, however inhuman and criminal.

TS-
139
USA-
18

To realize this aim, a way had to be cleared, as Hitler declared already in February 1933 at a conference with the prominent German industrialists, and the Parliament system must be destroyed.

GOERING took upon himself this task. He started to exterminate energetically the political opponents of fascism, and for this purpose carried out mass arrests of the members of political parties unfavourable to the nazism.

He organized concentration camps, where he interned without trial all people who disagreed with fascism. He created gestapo, which from the day of its birth established a bloody regime of terror. He demanded of all the officials in the camps and the Gestapo to hesitate before nothing - and savage punishments of the people, mutiliations and massacres, became - under his direction - the elementary working methods.

PS-
2324
USA-
233

It is he, GOERING, who declared: "Each bullet fired from the pistol of a policeman, is my bullet, and if anynne calls it murder, this means that I have committed murder" (from GOERING's book " Rebirth of a Nation....." published by him in 1934).

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He thus cleared the way for fascism, and paved the way for the unhampered progress and the realization of the fascist conspiracy.

GOERING was tireless in his efforts to annihilate everybody and everything which hampered the consolidation of this conspiracy.
PS-3442 And Hitler praised him for this. For example, on 13.VII.1934 he
USA-576 declared to the Reichstag that GOERING:
"... with his iron fist smashed the attack against the national-socialist state before it could take force".

All this GOERING's terroristic activity was calculated to clear the way for the realization of the fundamental idea of the fascist conspiracy, i.e. the conquest of Europe, and to achieve world supremacy of the Hitlerite Germany.

The legal proceedings have proved GOERING's guilt in the planning and the preparation of aggressive wars by the Hitlerite Germany.

Numerous documents have been presented to the Tribunal, testifying to the active part played by GOERING in the initiation of aggressive wars. I shall remind you of GOERING's declaration in 1935 at a conference
PS-3441 of the Luftwaffe officers. At that conference, he declared that it is his
USA-437 intention "to create the Luftwaffe which shall strike the enemy, as an avenging blow. Even before the attack, the enemy must feel that his cause is lost", and this intention, as we know, he realized, preparing for war from day to day.

P-140 At the conference of the leaders of German air industry, on 8 July 1938,
USA-160 GOERING hints that war is near, and that, if Germany come victorious out of it, she will be the most powerful state in the world, dominating the world market and she will become rich. To attain this objective "We must be prepared to take risks". Such was the slogan which Goering threw an that occasion.

On 14.X.1938, not long before he presented denands to Czechoslovakia
PS-1301 GOERING declares that he has began carrying out a vast program
USA-123 in comaprison with which previous undertakings were insignificant.
Trans.
Evn.Sess. "In the shortest possible time, the Luftwaffe must be increased fivefold:
23.XI.45, the Navy must be rearmed at a much greater speed, and the Army must
page 18 be rearmed much more extensively ... especially the heavy artillery and the heavy tanks. At the same time, the production of war materials and explosives must be itensified.

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PS-447
USA-135
1185-PS

The active participation of Goering in the preparation for aggression against the USSR has been established beyond all doubt.

USA-141

The Tribunal will find proof of Goering's active participation as early as November 1940 in the development of plan for the attack against the USSR, in the record of the conference of 29 April 1941 on the organization of economic staff "Oldenbourg", in the record of the conference which took place on 23 February 1941 at the house of General Thomas, as well as in the testimony of Goering himself during the session of 21 March 1946.

It was Goering who, together with Rosenberg, Keitel and Bormann, at the conference with Hitler on 16.7.1941, gave concrete form to the plans for the dismemberment of the Soviet Union, the enslavement of its peoples and the despoliation of its riches.

L-221
USA-317

The plan to "level Leningrad to the ground and hand it over to the Finns" was conceived with his participation. It was he, who recommended that hangman of Koch, for the post of Reichskommissar for the Ukraine, as a "personality with great initiative and good training".

Therefore, it can be considered that the guilt of Goering in the planning and the preparation of aggressive wars by the Hitlerite Germany, has been fully established, and for this he must bear responsibility.

My colleagues have already drawn the attention of the Tribunal to the criminal treatment of the prisoners-of-war

I shall just remind the Tribunal the testimony given by the witness Moris Lamp during the evening session of 25.1.1946, concerning the executions of Soviet, British, French and other officers in the Mauthausen camp, the extermination camps of Auschwitz and Majdanek, the Notes of People's Commissar for Foreign Affaires of the USSR, Molotov, of 24.XI 1941 and 27.VI 1942, presented to the Court, concerning the monstrous treatment inflicted by the German military authorities on the Soviet war-prisoners, for which Goering is personally greatly responsible. I shall also remind about the

USSR-341

depositions of the witness Halder on 31.X 1945 which described the conference at Hitler's office on the non-application of the

PS-884
USA-351
PS-1191
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pp.30-32

Haague convention with respect to the treatment of Russian war-prisoners and the order issued from Hitler's headquarters on 12.5.1941 concerning the treatment of captured Russian commanding officers and political workers.

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All these facts of crimes, established beyond doubt before the Court, have no need for further clarification, as the Defense was unable to advance in their statements any arguments refuting them.

USSR-89

In the "12 Commandements for the behaviour of the Germans in the East" of 1 June 1941, the sixth commandement reads as follows:

"You must clearly understand that for a whole century you are the representatives of great Germany and the standard-bearers of national socialism in new Europe. You must, therefore, with full conscience of your worth, carry out the most ruthless and the most cruel measures which shall be requested of you by the State".

The initiation of the systematic persecution and extermination of the Jewish population, is connected with the name of GOERING.

It was he who signed the misanthropic Nurnberg decrees, the decrees for the expropriation of Jewish property for the imposing on the Jews of a penalty of 1 billion and other decrees; such activity was in full keeping with the whole of GOERING's cannibalistic conception of the world.

PS-3458
USA-588
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even.s.
8.1.46
page 21

At the trial GOERING denied that he was an adherent of the racial theory, whilst in 1935, he made a speech before the Reichstag in the defense of the Nurnberg racial provocators. On that occasion, he loudly declared:

"... God has created races, He did not will equality and for this reason we reject energetically every attempt to pervert the idea of the purity of race ..."

Numerous documents presented to the Court by the Prosecution, expose the criminal actions of GOERING in respect to other nations.

EC-410
USA-298

GOERING's order issued on 19 October 1939 demostrates clearly the attitude of the defendant towards the Polish people, the Polish state.

In an order relating to the economic policy in the East, issued on 23 May 1941, just before the attack on the USSR, GOERING writes as follows on the attitude towards the Russians:

EC-126
USA-316

USSR-93
USSR-36
USSR-60

"Germany is not interested in maintaining the productivity in this territory. She is supplying food only to the troops stationed there ... The population in those regions, and especially the urban population, is doomed to starvation. It will be necessary to deport this population to Siberia".

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USSR-93
USSR-36
USSR-60

In his capacity of Plenipotentiary for the Four Year Plan, GOERING is responsible for the plunder and the spoliation of state property and personal property of the citizens, carried out by the nazis on the occupied territories of the USSR, in Czechoslovakia, Poland, Jugoslavia, and other countries. It was GOERING indeed who headed the activity of the nazi conspirators directed towards the economic plunder of the occupied territories of the USSR.

1157-PS
USA-141

A conference in connection with the elaboration of economic measures according to case Barbarossa took place on 29 April 1941, prior to the treacherous attack against the USSR. As a result of this conference, there was created the economic staff of special purpose "Oldenbourg" which was subordinated to GOERING. The crdation of special economic inspectorates and units in the largest centrers of the USSR was planned; they were to handle important tasks for the utilization and the plunder of Soviet industry and agriculture.

USSR-89

The file of the district agricultural fuehrer contained instructions to agricultural fuehrers, who were given full freedom in the choice of methods for the fulfillment of their criminal aims. The demand for ruthless treatment of the Soviet peoples, and, in the first place, of the Russians, the Ukrainians and the Byelorussians, was put forward.

USSR-2
USSR-9

The report of the USSR Extraordinary State Commission on the crimes committed by the/ Hitlerites in Kiev, in the region of Stalino and other places, states that these criminal plans of the defendant GOERING and his accomplices were in the greater part realized.

To secure the necessary manpower for the German war industry and agriculture, and at the same time for the purpose of physical extermination and the economic weakening of the enslaved peoples, the defendant GOERING and his accomplices in the nazi conspiracy, utilized the labour of foreign workers.

L-79
USA-27

The utilization of forced labour had been planned by the nazis even before the war. It is sufficient to remind you of the conference at Hitler's office, which took place on 23 May 1939, and in which the defendant GOERING also took part.

H5158 – 0025

USSR-10
USSR-326
USSR-379

t the conference of 7 November 1941 and in his order issued on 10 January 1942, Goering demanded of all the departments subordinated to him, the securing of necessary manpower for the German industry, at the expense of the population of the occupied Soviet territories.

On 6.8.42, Goering had a conference with the Reichskommissars for the occupied territories and the representatives of military command.

USSR-170

Addressing himself to the participants in this conference, Goering said:

" You are being sent there not to work for the well-being of the peoples entrusted to you, but for the purpose of drawing out all that is available...

You must be like hounds, where there is still something left.

I intend to plunder and to do it efficiently".

These intentions were carried out. Plundered Goering, plundered the Reichsministers and Reichskommissars for the occupied territores, plundered the representatives of military command, beginning with generals and ending with ordinary soldiers.

Such was the activity of the defendant Goering.

There is not a single measure executed by the fascist party, not a single step taken by the Hitlerite Government, in which Goering did not participate.

He participated actively in all the crimes of the fascist gang and for all his deeds he must be duly punished.

H5158 – 0026

H E S S

The defendant Rudolf HESS occupied a leading position among the Nazi conspirators from the very beginning of the Nazi empire.

Transc. even. sess. 7-2-46. p. 37-38
312-PS
USA-952

It was HESS who had been the leader of the Fascist organization, of the University of Munich. It was he who had participated in the Munich Putsch. It was he who together with HITLER had worked at the bible of Fascism – "Mein Kampf", carrying out the duties of Hitler's private secretary. It was he who had been president of the Central Political Commission of the Fascist Party, and it was he who had carried into effect the bestial policy of the Fascist cutthroats as "Deputy-Fuehrer" after the seizure of the power.

PS-3196, transcr. evening sess. 7-2-46 p. 38-39

It was indeed HESS to whom, according to Hitler's decree of 21 April 1933, the full right was given to take decisions on behalf of HITLER on all questions concerning the leadership of the party."

Transcr. even. sess. 7-2-46 p. 42
37-38
1395-PS
GB-252
1389-PS
GB-249,
2018-PS
GB-250

After this HESS continued to appropriate one new post after the other in HITLER's government. Since 1 December 1933 he was Reichsminister without portfolio "to secure close collaboration of the party and shoc troops with the civil authorities; on 4 February 1938 he was appointed member of the secret council; on 30 August 1939 – member of the Cabinet f the defense of the Reich, and on 1 September 1939 HITLER declared HESS as successor of GOERING. HESS was also nominated Obergruppenfuehrer SS and SA.

D-138
USA-403
D-139
USA-404

By the Decree of 27 July 1934 HITLER obliged all leaders of all the departments and ministries of Germany to present projects of laws to HESS for preliminary sanction.

PS-3180 transcr. even. sess. 7-2-46 p. 49-50

HESS had to select and allocate the leading Staff of the Fascist cadres, this is testified by Hitler's decree of 24 September 1935 and by other documents submitted to the Tribunal by the Prosecution.

H5158 - 0027

We must take special notice of the active part played by HESS in planning and carrying out aggressive wars. All the aggressive actions of Hitler's Germany had been planned and prepared with the direct assistance of HESS and the party machinery of the Nazi was subjected to him.

M-102
GB-260

Already on 12th October 1936 in his speeches made in Bavaria, HESS appealed to the Germans "to use a little less fat, a little less pork, fewer eggs ... We know - said HESS, that the foreign currency that is saved in this way, goes for armament. And the slogan of the day is "Cannons instead of butter".

M-105
GB-261
transcr.
ev.sess.
7/II 46
page 56

HESS spoke about this on the eve of his flight to England on 1st May 1941, speaking at the Messerschmitt factory when he made an appeal for the continuation of the aggressive war.

Transcr.
ev.sess.
7/II 46
page 65

Together with Hitler, Goering and other leaders of the Nazi conspiracy, HESS signed the decrees concerning the annexation of other territories seized by the Germans.

PS-3179
USA-200
Transcr.
ev.sess.
7/II 46
page 53-54

The misanthropical Nurnberg laws, for the publishing of which the defendant is also responsible, contain a special provision authorizing FRICK and HESS to issue the necessary decrees to carry into effect these laws. HESS signed the law on the "protection of race and honour", the decree of 14 September 1935 depriving the Jews of their right to vote, and of their right to be employed at public offices, and also the decree of 20 May 1938 extending the Nurnberg laws to Austria.

The question of the part played by HESS in organizing a network for spies and terroristic groups abroad, in creating SD (Security Service) and recruitment of SS units has been sufficiently elucidated at this trial.

Transcr.
ev.sess.
7/II 46
p.56-61

The very position occupied by HESS in the Fascist Party and Hitler's Government shows the active leading participation of the defendant in the preparation and realization of the common criminal plan of the Fascist conspirators, consequently an enormous share of his guilt and responsibility for the crimes against peace and for the war crimes and the crimes against humanity.

M-102
GB-254

Your Honours, in order to evaluate more correctly the importance of the criminal activity of the defendant HESS as one of the notorious leaders of the Nazi Party and Hitler's Government, I shall remind you of the article in the newspaper "National Zeitung" of 24 April 1941 dedicated to HESS.

"Many years ago, it was before the beginning of the war - Rudolf HESS was called "the conscience of the Party". If we inquire why this honourable name was given to Fuehrer's deputy ... it is not difficult to answer this question: There is'nt an event in our public life that is not connected with the name of the deputy Fuehrer. He is so versatile and singular in his work and in his field of activity, that they cannot be described in a few words ... many measures carried out by the Government, especially in the field of war economy and in the party were realized entirely by the deputy Fuehrer".

Transcr. ev.sess. 22 March 1946.

HESS refused to give explanations to the Tribunal. His Counsel Saidl declared with false pathos that HESS considered the present Tribunal incompetent to judge the German war criminals ... and immediately afterwards without a pause he presented proofs in defense of HESS.

Transcr. of 30.XI 1945 p.57-58

HESS even tried to declare himself insane to avoid the merited punishment. But when HESS convinced himself that such a manoeuvre would not help, he was obliged to tell the Tribunal that he had simulated loss of memory, that it had been a trick of his and he had to admit that he bore full responsibility for all that he had done an signed together with the others.

Thus this clumsy attempt of HESS to avoid the responsibility was full exposed at the trial and HESS should suffer punishment to full extent, for his participation in the common plan or conspiracy for committing crimes against peace, war crimes and the most heavy crimes against the world and humanity, committed by him together with the other defendan

H5158 - 0028

H5158 - 0029

B O R M A N N

The name of Martin BORMANN is closely connected with the formation of HITLER's regime. He was one of those who committed the most outrageous crimes, aiming at the annihilation of hundreds of thousands of people.

Together with the defendant ROSENBERG, BORMANN carried on a propaganda of racial theories and persecutions of Jews with cruel perseverance.

Numerous instructions were issued by him aiming at the descrimination of Jews in HITLER's Germany, which afterward had such a fatal effect and / /resulted in the annihilation of Jews. By this activity of his, he won the confidence of HITLER, he was "authorized to represent the party in the field of government activity" (regulations and orders of the party chancellory v. II p. 228) and he did represent it.

Thus, as chief of the party chancellory, he directly participated in the/ /annihilation of the Jews, Gypsies, Russians, Ukrainians, Poles and Chechoslovaks.

NSDAP under his leadership becomes a police organization, in close connection with the German secret police and SS.

BORMANN not only knew of all the aggressive plans of HITLER's Government, but also took an active part in realizing them.

He made full use of the entire party machinery of NSDAP to realize the aggressive plans of Hitler's Government, and appointed the party Gauleiters as Plenipotentiaries for the Reich defense in the regions of their activity.

The NSDAP party machinery and BORMANN personally, took an active part in all measures of the German military and civil authorities for the inhuman exploitation of war prisoners.

This is proved by the numerous instructions and directions issued by BORMANN.

The materials of the Prosecution and the legal proceedings have now established the extent of mass annihilation caused by the bestial ill-treatment of the prisoners-of-war.

The party machinery and the defendant Bormann personally, took a direct part in the measures of Hitler's government connected with the deportation of the population of the occupied territories for slave labor.

With Bormann's approval the secret deportation of Ukrainian girls to Germany was carried out, for forced Germanization.

By Hitler's order of 18th October 1944, Bormann and Himmler were entrusted with the leadership of the "Volkssturm" consisting of all men from 16-60
PS-3018 years of age, capable of wearing weapons.

On the eve of the collapse of Hitler's Germany, Bormann headed the underground organization "Wehrwolf" for divertionist and subversive activity behind allied lines.

USA-690 Bormann took a direct part in plundering historical treasures and treasures
1690-PS of culture and art in the occupied territories.

In 1943 he made a suggestion to intensify the economic plunder in the
USA-692 occupied territories.
061-PS

Such are the crimes of the defendant Bormann, Hitler's closest collaborator, sharing the full responsibility for the numerous crimes of Hitler's government and of the Nazi party.

H5158 - 0030

RIBBENTROP

Joachim von RIBBENTROP was not only one of the principal instigators and leaders of the foreign policy of Hitlerite Germany, but he was also one of the most active participants in the criminal conspiracy.

Having ci/ offially entered the Nazi Party in 1932, the defendant, however, contributed to the seizure of power by the Nazis, before this actually occurred, and he shortly became the official adviser of the Party, inasmuch as he was the "collaborator of the Fuehrer on matters of foreign policy".

2829-PS
USA - 5

RIBBENTROP's promotion is indissolubly connected with the development of the Nazi conspirators' activity which was directed against the interests of peace.

Session of 2.4.46, transcript page 19 (evening)

In his testimony, RIBBENTROP declared: "He (Hitler) knew that I was his loyal collaborator". That is why on the 4 February 1938, Hitler made the convinced and faithful nazi-RIBBENTROP, the official leader of foreign policy, a post which was one of the most important levers for the realization of the entire Nazi conspiracy.

However, RIBBENTROP did not limit his activities to the scope of foreign policy. As member of the Hitlerite Government, the Reich Defense Council and the Secret Council, he participated in the solution of all the innumerable problems connected with the preparation of aggressive wars. That is why he, RIBBENTROP, although he was Minister for Foreign Affairs, took part in the solution and realization of problems, but faintly relevant to foreign policy, such as the utilization of manpower in wartime, the organization of the concentration camps, and so forth. In this connection, it should be noted that RIBBENTROP signed a special, large-scale agreement with HIMMLER on the organization of a common intelligence service.

Transcript ev. session 2.4.46, p.p. 6-8 USSR-12

RIBBENTROP became Reich Foreign Minister precisely at the outset of the realization of the plans of aggression, which visualised the submission of Europe to Germany. This coincidence is no accident. RIBBENTROP was considered, not without reason, as the most adequate person for the realization of this criminal conspiracy, he was preferred even to such an/expert in matters of foreign provocation as ROSENBERG, upon which the latter made an official complaint, not without some reason. And Hitler was not mistaken in his choice, for RIBBENTROP fully justified his confidence.

As early as 12 February 1938, a week after his nomination, RIBBENTROP - together with Hitler and the defendant PAPEN, who for a long time prior to this date had been directing the diversionist activity of the Nazi agency in Austria, participated in a conference at the Obersalzberg.

H5158 - 0031

H5158 - 0032

At this meeting he addressed an ultimatum punctuated by threats, to the Austrian Chancellor Schussnig and the latter's Foreign Minister, Schmidt, demanding their agreement to sacrificing the independence of Austria, and this object was attained.

As Minister, Ribbentrop was present at the conference of 28 May 1938, during which a decision was made for the execution of plan "Gruen" - the plan for aggression against Czechoslovakia.

In conformity to the Nazi tactics of weakening their future victim by striking at the interior, Ribbentrop constantly kept a close contact with and gave material assistance first to the German Sudeten party, and then to the Slovak nationalists, with the object of attaining an internal split and fratricidal war in Czechoslovakia.

Having seized Czechoslovakia, the Nazi conspirators, and Ribbentrop amongst them, began to make preparations for and to realize the next aggressive act, which had already been outlined by them in their criminal plan against peace, - the attack on Poland.

Being forced - because of the recently realized annexion of Austria and Czechoslovakia, to conceal temporarily the further intentions of Germany, Ribbentrop, personally and through the agency of his diplomats, endeavoured to allay the vigilance of the European states, by making hypocritical declarations to the effect that Germany's foreig no further territorial demands.

Doc. 2530-PS GB-36. Transcript Morn.session 6.12.45 Pages 6-7

On 26 January 1939, in Warsaw, the Foreign Minister of fascist Germany, Ribbentrop, declared: "that the consolidation of friendly relations between Germany and Poland on the basis of existing agreements, constituted the most important factor of Germany's foreign policy".

A very short time elapsed, and Poland experienced the value of these assurances of Ribbentrop.

I will not dwell here on the perfidious part played by the defendant Ribbentrop in the German aggression against Denmark, Norway, Belgium, Holland and Luxembourg, for my colleagues have already dealt with this matter convincingly enaugh ...

The defendant Ribbentrop personally participated in the commission of aggression against Jugoslavia and Greece.

Reverting to his favourite method of giving false guarantees in order to conceal the future aggression, defendant Ribbentrop assured Jugoslavia on 20 April 1938, that after the Anschluss Germany's frontiers with Jugoslavia were considered as final and unalterable.

H5158 – 0033

2719-PS
GB 58 (transc.)
7.12.45
afternoon
session
p.6

At that time manifold preparations for aggression were carried out with the assistance of the defendant RIBBENTROP. On 12 and 13 of August 1939 at the conference of Hitler and RIBBENTROP with CIANO at Salzburg an agreement was reached concerning the liquidation of the neutrals one after the other.

With the direct and immediate assistance of the defendant RIBBENTROP the Nazi conspirators planned, prepared and realized the treacherous attack on the USSR on 22nd of June 1941

USA-135, PS-447
USA-31, PS-446
USSR-263,
USSR-149,
USSR-156

The defendant RIBBENTROP himself admitted here, in the Court room that at the end of August and the beginning of September 1940, i.e. at the time when the elaboration of the plan of Barbarossa was being carried out (as it is evident from the depositions of General Varlimont, General Mueller and Fieldmarshal Paulus) the defendant KEITEL was discussing with him the question of attacking USSR.

The activity of the defendant and the ministry directed by him, played a primary part in the organization of war against the USSR with the participation of Finland, Hungary, Romania and Bulgaria.

Already after the beginning of the aggression of Germany against the Soviet Union the defendant RIBBENTROP continued to apply his efforts to attract new accomplices to Germany's side. Thus in a telegram to the German Ambassador in Tokio of 10th July 1941 he said: I beg you to try all means at your disposal to influence Matzuoka in order to make Japan begin war with Russia as soon as possible. The sooner - the better. The final aim should be that Japan and we shake hands on the Sibirian railway before winter comes on."

2896-PS
USA-155

As it has been established at the trial RIBBENTROP together with the other defendants was preparing the policy of extermination and plunder, planned by the Hitlerites and then carried it out in the temporarily occupied territories of Soviet Union. The defendant ROSENBERG who was elaborating the plans of exploitation of the occupied territories in Eastern Europe, held a conference on this question with OKW, the ministry of economics, ministry of interior affairs,

H5158 – 0034

1039-PS
US-146
Transcript
10.12.45
morn.sess.
p.38

with the ministry of foreign affairs. In his "Report about preparatory work on the Eastern European question" he wrote: "As a result of the negotiations with the Ministry of Foreign Affairs, the latter appointed General Consul Mr.Brotigham as their representative to Rosenberg.

Thus it is indisputable that Ribbentrop not only knew about the preparation for the military attack on USSR but that he together with the other conspirators had planned beforehand the colonization of the territory of the Soviet Union, the enslavement and extermination of the Soviet citizens.

Transcript
2.4.46
afternoon
sess.
p.13.

The defendant was compelled to admit that he had known the notes of the Public Commissar of Foreign Affairs W.M. Molotov concerning the atrocities of the Hitlerites in the temporarily occupied territories of the Soviet Union. He as well as the other conspirators had known also the other declarations of the Chiefs of the Allied Governments concerning the responsibility imposed upon the Nazi Government for committing the monstrous atrocities in the occupied countries.

Tr.27.3.46
morn.sess.
pp.53-54

Ribbentrop, as the witness for the defense the former Secretary of State at the Ministry of Foreign Affairs, Steingracht confirmed, had been one of the initiators and was intended to be nominated honorary member of the International Anti-Jewish Congress which the Germans supposed to convene in July 1944 in Cracow.

Tr. 2.4.46
morn.sess.
p.6.
(3688-PS
RF-502)

Ribbentrop himself admitted at the Trial that he had negotiated with the Governments of European countries about the banishment of the Jews.

According to the record of Ribbentrop's conversation with Horty: "The Minister of Foreign Affairs declared to Horty that the Jews should be either exterminated of sent to concentration camps. There can be no other decision".

This fact sufficiently confirms the fact that Ribbentrop was aware of the existence of the concentration camps though he tried hard to prove the reverse here.

Ribbentrop lent his support to other Nazi leaders and above all to the defendant Sauckel in deporting the inhabitants of the occupied countries for forced labor in Germany.

Besides, the defendant Ribbentrop carrying out the common plan of conspiracy including the destruction of the national culture of the peoples of the occupied territories, took a most active part in plundering treasures of culture, which are common property of all nations.

H5158 - 0035

In order to carry out this task and on Ribbentrop's instructions a "Battalion of Special Service" had been created at the Ministry of Foreign Affairs which during the whole war following the advance units requisitioned and deported to Germany all kinds of treasures of culture from the occupied territories in the East according to the directives of Ribbentrop.

Thus the defendant RIBBENTROP had taken part in seizure of power by the Nazi, playing a leading role in planning, preparing and waging aggressive plundering wars; together with the other conspirators participated, according to the Fascist plans, in the leadership when committing most heavy crimes against the nations, whose territories had been temporarily occupied by the Hitlerite invaders.

H5158 - 0036

The Militry Group

Several of the defendants in the dock at this major War Criminals Trial may be said to form a military group. If we do not include GOERING who represents a peculiar figure, uniting in one person, - politician, administrator, and s ldier, there remains KEITEL, JODL, DOENITZ and RAEDER. In the course of these proceedings not only have all the counts of the Indictment against them been sustained but as a result even more incriminating evidence has been brought to light.

The documentary evidence, the testimony given by the witnesses, including those applied for by the Defense, could not but tip the scales in favor of the Prosecuti n.

The Counsel for the defense tried to convince the Tribunal that their clients had become involved in this sinister tragedy by a whim of fate in spite of themselves.

The defendants themselves - KEITEL, JODL, DOENITZ and RAEDER here in court try to appear in the role of noble simpletons. We must do the defense justice: it did its best to aid them in this attempt. We have heard a great deal about a soldier's honor, military discipline, fidelity to duty and oath of allegiance, - all making obligatory, therefore, the fulfilment of HITLER's orders, including those which aroused their doubts and direct protest. Such a view of their position completely distorts the actual state of affairs. Before passing to the question of the guilt of KEITEL, JODL, DOENITZ and RAEDER I deem it necessary to put the following 4 questions:

1) Did these defendants know that HItlerite Germany in violation of its international obligations had prepared a series of aggressive and predatory wars?
2) Did they take an active part in planning, preparing, unleashing and waging of these wars?
3) Are they guilty of cynically trampling down the laws and customs of warfare?

H5158 – 0037

4)
Are they responsible for the atrocities and extermination of the peaceful population, for the sinking of passenger and hospital ships, for the towns and villages destroyed by the Hitlerite Reich military machine?

It seems to me that after this investigation which has so carefully gone into all the details of this case, unless one remains blind to the facts it is impossible to give other than an affirmative answer to these questions.

The evidence submitted to the Tribunal has fully proved that the military group of criminals is guilty of the heaviest crimes and that they have actively participated in the planning and execution of the common criminal conspiracy.

The very fact that these crimes were committed by men in uniform not only does not serve to mitigate their responsibility but on the contrary only heightens it.

How can they try to acquit themselves by referring to "a soldier"s duty", "an officer's honor", and the "obligation of fulfilling orders". Since when has "soldier's duty" and "officer's honor" become compatible with shooting without trial and branding of prisoners, extermination of women, children and aged people.

The only true and correct explanation of the amazing fact that these generals and admirals were committing what in substance were capital crimes, lies in the fact that they were generals and admirals of Hitler's making. These are men of a special metal. They are fascists in uniform, bound body and soul to the Nazi regime.

This is the only reason why Hitler gathered these men about him and collaborated with them for such a long period of time. This is the only way to explain why they collaborated with Hitler in committing such crimes imprecedented in history. They fitted and understood one another to perfection.

H5158 - 0038

K E I T E L

It is only natural that in speaking of the military group I begin with defendant Keitel. Keitel held the leading post in Hitler's military machine from the very first years of its conception.

Speech Dr. Nelte p.58

Keitel's counsel admits that: - the decree (of February 4th 1938) gave Keitel the wonder title for his position - Chief of the OKW". Further he goes on to say:

"... the factual significance of Keitel's activities was immense. It was a monstruous, extremely ungrateful job and its miserly remuneration was a brilliant position in the immediate proximity to the head of the state".

Speech Dr. Nelte p.100

In the light of subsequent events it may be taken for granted that the primary stage of all the future wars of aggression included everything connected with the secret rearmament of Germany after the Versailles treaty.

It is difficult to minimize the significance of all that was done at the time by Colonel Keitel in the Committee of Experts which painstakingly and consecutively sought and found means of circumventing or violating the treaty.

It was none other than Colonel Keitel in particular who gave instructions to the effect that in Geneva it was possible to say what one pleased but care must be taken not to leave anything behind on paper.

This cynical statement fully tallies with the role played by Keitel in the subsequent preparation and execution of aggressive wars.

C-102 USA-74

During the negotiations between Hitler and Schushnig the living reminder of Germany's preparadeness to resort to arms was the person of Keitel.

Keitel issued orders for troops to cross over into Czechoslovakia at the time when president Hacha was so treacherously called to Berlin: "for continuing negotiations".

388-PS USA 26 Jodl's notes to "Fall Green"

It was the OKW and no other organization which was fully prepared through ABWEHR'S department to provoke an incident with Czechoslovakia in order to justify the invasion by the German hordes, ready to fall upon Czechoslovakia.

In his strictly confidential memorandum Keitel demanded that Hess and Himmler advise the OKW in advance of all measures taken by party organizations or police which were not included in the "Fall Green".

The declarations alleging that after the seizure of Czechoslovakia Germany had no more territorial aspirations in Europe were downright lies. This was but a link in the chain of aggressive wars.

H5158 - 0039

I wish to emphasize the leading role of the OKW in the preparation and carrying out of aggression. The directive regarding the waging of war and invasion of Poland is known to us as Keitel's and Hitler's directive of the 10 May 1939. It was forwarded to the command of the Air Forces, Navy and Land Forces. How is it possible after this to maintain that the OKW was not the driving power behind the armed forces of the fascist Reich?

If we once more peruse the documents pertaining to German aggression against Norway, Denmark, Belgium, Holland, Luxembourg, Yugoslavia and Greece we again come across the name of Keitel. He appears as a participant of the most important events either as author of secret orders addressed to Raeder, Goering and the General Staff.
443-PS
GB-118 We find the initials of Keitel and Jodl entered in their own hand on the secret directive signed by Hitler regarding the "Operation Mariza".

Much has been said here of the "Plan Barbarossa" and its authors. At present it is important to stress that this document took shape in the depths of the OKW at its own initiative and that the planned methods of a treacherous attack on the USSR were also the work of the OKW.

The significance of a military specialists visa on a document is clea to everybody.

Some of the defendants attempted to portray the attack on the USSR as preventive war. This contention is to such a degree inconvincing and contradictory to the irrefutable evidence presented in court (German documents) that I see no need for occupying the Tribunal's time.

P.23
Final
speech
Counsel
Dr.Nelte Keitel's defense counsel stated that the defense of this defendant is based on the point of view that Keitel - "is fighting not for his head but to save his face".

I wish to aid the Tribunal in seeing the true face of Keitel. For this I shall have to remind you of a number of Keitel's directives which may well lay claim to being among the foremost of all the infamous documents pointing to the barbarity of the German military cl its baseness and extreme scorn for all conceptions of rules and customs of warfare.

Let us consider the documents dealing with the shooting of Political Officers.Keitel, the soldier, as he likes to call himself, ignoring his oath, shamelessly lied to the representatives of the American Prosecution at his preliminary investigation by avowing that to begin with this order was in the nature of a counter reprisal and that the political officers were separated from the other prisoners of war at the request of the prisoners themselves. At the trial he was unmasked. Exhibit No. RF(v)-351, 884-PS proved that this directive had been issued before

H5158 - 0040

the war had broken out. We also submitted a document under Exhibit No.

USSR-62 (the text of a letter of German Prisoners of War). This document makes it clear that even before the attack on the USSR the army in the field had been instructed to absolutely exterminate Soviet women in military service as well as political officers.

And what can be said of the following statement/in its unlimited dreadful cynicism:

RF-271
R-98
PS-389

"Human life in those countries concerned has absolutely of no account. ...a terrifying influence can be achieved only through unheard of brutality."

-50
USA-554

And what can be said of the directive of 13 May 1945 introducing court martial in the Barbarossa region? And of the order of 16 September 1941 calling for the execution of 80-100 communists for each German killed?

L-90
USA-503

What could KEITEL say about the document known as "Nacht and Nebel?

USSR-52

These are sanguinary documents. No one can compute how many thousands of prisoners of war - soldiers and officers of the Red Army had been killed and tortured in the camps of fascist Germany. You remember how on 21 January 1946 at the evening session witness LAMP testified that for the amusement of HIMMLER the shooting of 50 Soviet officers was organized in the Mauthausen camp. You remember witness ELACHA testifying that in the spring of 1944, 94 Soviet senior military officers were tortured and then killed for refusing to give military information.

transcipt 11 January 1946 afternoon - pp 22-23

I wish to mention the testimony of SS man Paul WALDMAN regarding the slaughter of 840 Russian prisoners of war. You remember the testimony of witness KIVELSH regarding the endless chain of torture and suffering to which Russians, taken prisoner by the German, where subjected to:

transcript 2 February 1946 morning p 22-32 afternoon p 3-4
USSR-16

It is impossible to pass by. KEITEL's directive calling for the branding of Soviet prisoners of war.

One can not forget the KEITEL directive of the 16 December 1942. It is entitled "measure to be taken against bands." Under the word "bands " defendant KEITEL understood any resistance movement and demanded that his troops revert to harsh methods, stopping at nothing even in regards to women and children.

transcript 14-2-1946 p.13
USSR-343

. . . . The Soviet Prosecution submitted the testimony Lecurt under Exhibit No. USSR-162. Lecurt states that he shot and burnt Soviet citizens, razing their houses. He alone had shot over 1,200 persons and for this achievement he was promoted to the rank of Obergefreiter and awarded the medal for service in the East. He acted in accordance with the directives of

transcript 15 Feb. 1946 morning p 1-2

H5158 -0041

C-50
USA-554

Keitel. Keitel's directive instituting court martials in the "Barbarossa" region freed such persons of all responsibility. Keitel's hands are stained with the blood of the victims of LAFCOURT and his like.

It was in carrying out Keitel's directive stating that life in the Eastern regions was of no value, that the soldiers and officers of Hitlerite Germany committed their atrocities.

Exhibit number USSR-51 submitted by the prosecution shows how, on the 28 August 1941 attacking German troops drove a group of women, children and old men before their formations. In the village of Kolpino the fascists shot the peasants who had been forced into digging trenches and bridges for them.

USSR-261
USSR-391
USSR-392

In Yugoslavia mass shootings of hostages became a daily feature with the military command and military administration.

In a secret report dated 15.II.1940. submitted to Goering the OKW justifies the practice of taking hostages.

1585-PS
RF-278

I wish to conclude with document USSR-336 (EC-338), which your honors of course, remember.

In this document Admiral Canaris informs Keitel of the unbridled cruelty in the prisoner-of-war camps, of the hunger, and mass shootings of Soviet prisoners of war. Even the out and out fascist and spy Canaris fearing eventual responsibility could not ignore such unbridled cruelty and flagrant violation of accepted laws and customs of warfare.

You will remember Keitel's notation on this report:

"I approve of and back these measures".

On April 7, 1946 during the cross examination I put the following question to Keitel:

> "You, Defendant Keitel, known as fieldmarshal, repeatedly referred to yourself as a soldier before this Tribunal, and you, by your sanguinary notation approved of and sanctioned the murder in cold blood of thousands of soldiers, who had fallen prisoner. Do you confirm this?"

Keitel was forced to admit this fact.

This one resolution alone unveils the true and real face of Fieldmarshal Keitel. The highly involved arguments of the defense cannot absolve Keitel of his responsibility for the bloodshed and innumerable human lives torn short by the hand of the fascist military machine in carrying out orders and directives signed by his hand.

H5158 - 0042

JODL

The defendant Alfred Jodl bears equal responsibility together with defendant Keitel as his assistant and as closest military adviser of Hitler's.

All that is connected with preparation and execution of the aggressive plans of Hitlerite Germany is inseparably linked with the name of Jodl as well as with that of Keitel.

There is no need to repeat anew all those aggressive acts of Hitler's Germany, which are already facts of common knowledge, each of which had been planned and executed with the direct participation of defendant Jodl.

As the representative of the Union of Soviet Socialist Republics I should like to emphasize once more that the criminal plan of the perfidious attack on the Soviet Union, coded by the Hitler's clique under the name of the ill-fated conqueror Frederick Barbaross, is signed not only by Hitler and Keitel but by Jodl as well. But this is more than a mere signature.

USSR-263 Warlimont testimony

As early as the summer of 1940 in Reichenhalle Jodl conducted t first conference of his staff-officers, at which the question of t possibility of an attack by Hitler Germany on Soviet Russia was discussed.

C - 26

It was no one else but defendant Jodl who even before the attack against the USSR issued his well-known "Instructions on the use propaganda in the region of 'Barbarossa'". In these instructio it is unequivocally stated that "as yet propaganda aimed at the partition of the Soviet Union should not be carried on".

Thus, defendant Jodl knew beforehand of the actual aims of Germ ny's attack on the USSR, knew of the piratical and predatory na ture of the war which called for the dismembering of the Soviet Un

It was Jodl who took part in the preparation and organizat of the provocative incident on the Czechoslovak border with the aim of justifying this aggressive act of Hitler Germany against this peace loving nation.

H5158 -0043

3061-PS
USA-126

It was JODL who signed the order of the 28 September 1938 regarding the use of the so-called HEINLEIN CORPS in case the "Case Green" was realized.

C-123
USSR-114

How full of mockery sound the defendant JODL's words of "soldiers honor" after reading his order on the destruction of Leningrad, Moscow and other cities of the Soviet Union.

1382-PS
USSR-478

It was this very same JODL who with inimitable cynicism declared at a conference with Hitler on the 1 December 1941 that German troops could with impunity "hang, hang by the feet and quarter" Soviet patriots.

As the closest military adviser of Hitler's, having personally participated in the preparation and execution of all the sanguinary aggressive plans of Hitlerite Germany - defendant JODL has been justly included in the ranks of the major German War Criminals.

H5158 - 0044

DOENITZ and RAEDER

My British colleague has proved the guilt of defendants CARL DOENITZ and ERICH RAEDER so convincingly and thoroughly that I see ne need to dwell especially on these Grossadmirals of Hitlerite Germany, who have disgraced their admirals'uniforms with such infamous crimes.

In the course of his cross-examination, DOENITZ told the Soviet Prosecutor that he as unaware of the reasons for which Hitler nominated him his successor. I don't think that DOENITZ was quite sincere in making this statement. One has but to refer to the transcripts of the sessions beginning with the 8th May, in order to understand without his acknowledging it, why he became Hitler's successor, when the Hitlerite Reich went to the bottom. The important point is not the fact that an admiral was needed at a moment like this, but the fact that only the nazi Grossadmiral DOENITZ, in the opinion of Hitler who was about to fade from the picture, could do anything to save the sinking ship.

Under Hitler, DOENITZ commanded the submarine / weapon of the German Reich. We know the role which the German U-boats played in this war. In this connection it is worthy of emphasis what DOENITZ was proud of being the author of the so-called "wolf-pack tactics". Soviet people have not forgotten how DOENITZ's submarines sunk in the Baltic and Black Seas hospital ships and steamers evacuating peaceful citizens - women and children.

The last head of the Hitlerite government should be one of the first to pay for all those crimes which led to the trial of the major war criminals before the International Military Tribunal.

The name of RAEDER is linked with the sacrilegious directive for the destruction of Leningrad.

At the trial, RAEDER tried to play the part of an "honest soldier". But the mere fact that it was he, together with Hitler and KEITEL, who conspired to "wipe Leningrad off the face of the earth" and to exterminate more than three million population of that great city, whose very name is indissolubly connected with the development of the culture and history of mankind, makes RAEDER one of the major war criminals.

RAEDER took part in working out all most important plans of aggression of German fascism. This participant in the criminal fascist conspiracy must, therefore, bear punishment together with his associates.

K A L T E N B R U N N E R

The defendant Ernst Kaltenbrunner was considered by Himmler to be the most deserving successor to that henchman, Heidrich, executed by Czech patriots.

On 30 January 1943, he was appointed Head of the Reich Main Security Office and Chief of the SD.

Numerous documents, and especially orders signed by Kaltenbrunner, for the mass deportation of people into concentration camps, the testimonies of his subordinates, including the depositions of Walter Schellenberg, the former Chief of Intelligence Department (AMT VI), and of Otto Olendorf, Chief of the Foreign Security Service, fully convict Kaltenbrunner of heinous crimes.

At the session of 12 April 1946, in the course of Kaltenbrunner's examination, the testimonies of Johann Kandutor, ex-prisoner of Mauthausen, were read into the record. In his depositions, Kandutor describes as follows Kaltenbrunner's pass-time during one of his visits to the camp:

"Laughing, Kaltenbrunner entered the gaz chamber; then the prisoners were led from the barracks to the execution and all the three methods of execution were demonstrated - hanging, shooting into the nape and asphyxiation by gas".

I shall not dwell upon the numerous proofs which are available, as they have been sufficiently clarified before the Tribunal. There is only one point of the accusation against Kaltenbrunner, on which I deem it necessary to dwell.

Together with other RSHA organizations, Kaltenbrunner took over from Heidrich five "Einsatzgruppen". The citizens of the Soviet Union remember well these criminal organizations of the German fascism, headed by Kaltenbrunner.

USSR-7
USSR-41
USSR-39

The "Einsatzgruppe A" reached the approaches to Leningrad. It created the "Fort of Death # 9" near Kaunas, the secret points for mass extermination of human beings in Panarai; it carried out the executions by shooting in the woods of Salaspilsk and Bikerneksk near Riga; it erected gallows in the parcs of one of Leningrad's suburbs - the Pushkino.

The "Einsatzgruppe B" settled down in the vicinity of Smolensk.

USSR-3
USSR-14
USSR-48

It burnt alive the peasants of Byelorussia; it shot down the victims of the awful Pinsk "action"; it drowned thousands of Byelorussian

H5158 - 0045

women and children in the Mosyr marshes; it operated with murder vans in Minsk; it liquidated the ghetto in the Upper Gardens district of Smolensk.

USSR-14
USSR-9 The "Einsatzgruppe C" - was quartered in Kiev. This group carried out the mass "action" in Baby Yar near Kiev, an execution unmatched for its cruelty, when 100.000 Soviet citizens perished on a single day.

USSR-14
USSR-1
USSR-42 The "Einsatzgruppe D" operated in the southern regions of the temporarily occupied territories of the Soviet Union. This group was the first to experiment with the murder vans on the Soviet citizens in the district of Stavropol and in Krasnodar.

And when Kaltenbrunner's fate will be decided, all these human beings, asphyxiated in the "murder vans" near Stavropol, buried alive in the graves near Kiev and Riga, burnt alive in the Byelorussian villages, must not be forgotten.

All these innocent victims are on his dirty conscience.

The successor of a hangman, Kaltenbrunner was a hangman himself, and he had the charge of the most horrible aspect in the common criminal plan of the Hitlerite clique.

H5158 - 0046

H5158 - 0047

ROSENBERG

I shall now summarize the evidence pertaining to the guilt and the responsibility of the defendant ROSENBERG.

In spite of ROSENBERG's efforts to minimize his role and importance, in spite of his efforts to juggle with historical facts and events - he cannot deny that he was the official ideologist of the nazi party, that already a quarter of a century ago, he laid the "theoretical" foundations of the fascist Hitlerite state, and during this whole period he corrupted morally millions of Germans, preparing them "ideologically" for the monstrous crimes committed by the Hitlerites - crimes unprecendented in history, and which are the subject of this trial.

Trans. evn. sess. 17-4-46 pp 31-34

USA-600 PS-3559

When, at the trial, ROSENBERG was asked: "were you not one of HITLER's closest collaborators?", he did not even speak - he shouted in reply: "that is not true, I never was". But however hard ROSENBERG tried to renounce his "Fuehrer", he has not succeeded in washing away the stigma of "one of the oldest and the most faithful of HITLER's comrades-in-arms". For twenty five years, ROSENBERG, acting first as HITLER's collaborator and afterwards under his direction, worked out and assisted in the realization of the fantastic plans for world supremacy, having chosen for the justification of these criminal plans, the misanthropic theory of racism.

The fact that ROSENBERG utilized for his purposes the refuse of science and borrowed some of his theories from Karl LUGER and Paul LAGARDE, Count GOBINO and LIAPOUCH, Oswald SPENGLER and Arthur MELLER, cannot influence the solution of the question on ROSENBER's responsibility and guilt.

The important fact is that ROSENBERG, having assembled all these excrements of science, raised the racial theories to a degree of racial fanaticism, and educated in this spirit the members of the nazi party and the German youth. And when the representatives of the "master race" elaborated and committed acts of aggression, when the German oppressors enslaved and exterminated nations and peoples, when the factories of death were created at Majdanek and Auschwitz, ROSENBERG's share in all these crimes was great.

All this was the outcome of the fascist racial ideology, the essence of which consists in the idea of the "aryan",

"north-germanic" race is a "master race", and that all other races and nations belong to "lower strata".

ROSENBERG's Counsel said: "the Tribunal must judge crimes and not theories". In ROSENBERG's case such an argument is clearly unconvincing. For ROSENBERG, not only confessed the fascist racial theory, but he knowingly propagated it and instilled it into the conscience of the German people, this theory which became a direct menace to the existence of the democratic European states. The person who carries mi[illegible]st be isolated, but the person who willingly disseminates microbes, must be tried.

ROSENBERG's criminal activity was not limited to the ideological preparation for aggression and to the propagation of misanthropic theories. His activity had many facets.

The criminal activity of the foreign-policy Department of the NSDAP has already been sufficiently clarified at this process; this department, which for many years was subordinated to the defendant ROSENBERG, was in charge of the half-legal nazi agencies abroad. The participation of this organization in the foreign policy measures undertaken by the Hitlerite Germany and in the initiation of aggressive wars, is very great.

Doc.Counsel Neurath v.I,p.67

One of the documents submitted by NEURATH's Counsel and accepted by the Tribunal, reads as follows:

> "... at one time there existed in Berlin three sorts of ministries for foreign affairs: ROSENBERG's ministry, RIBBENTROP's ministry, and the official ministry on the Wilhelmstrasse".

USSR-117

And finally, ROSENBERG's letter to Hitler of 6.2.38 stressed his real influence on the foreign policy of Hitlerite Germany and his "merits" in this field, when he applied for a membership in the Secret Cabinet Council.

I see no necessity to give an analysis of the entire criminal activity of ROSENBERG, and I only intend to dwell very shortly on his activity as "Fuehrer's plenipotentiary" and, later, as the Reich Minister for the Occupied Eastern Territories. In these capacities, ROSENBERG exercised his talents most actively, as a participant in criminal conspiracy.

Rosenberg declares that he was against war with the USSR and that he learned from Hitler about the preparations for an attack against the USSR, only when all the orders to military channels have already been given, and that he never really had any influence on the foreign policy of the Hitlerite Germany. I affirm, Your Honours, that all these declarations of ROSENBERG are false.

H5158 - 0048

It is a commonly known fact that the plan for a German crusade against Soviet Russia is indeed the starting point of the national-socialists foreign policy, as set out in the 1921 New-Year publication of the newspaper "Voelkischer Beobachter", and that the author of this policy is Alfred Rosenberg. It was Rosenberg, who inspired by Ludendorf and Rechberg, propagated - together with Hitler - a foreign policy directed towards the creation of an antisemitic, antibolshevik and antibritish continental Europe.

Rosenberg's speeches, setting out plans for the "exchange" of the Polish corridor against the Ukraine, his "diplomatic" journeys into certain countries after the seizure of power by the fascists, his clumsy efforts to realize the foreign policy programme of the nazis - were disclosed in detail in the press.

The submitted documents, a clear picture of Rosenberg's feverish activity in April 1941 - during the period immediately preceeding the attack of Germany on the USSR - when he was nominated "Fuehrer's plenipotentiary for the supreme control of the questions connected with the Eastern-European territories".

PS-865
USA-143

On 7 April 1941, two weeks prior to his nomination, Rosenberg sent to Hitler his proposals for the division of the Soviet Union into Reichskommissariats and for the nomination of fascist governors for the occupied territories. Byelorussia and the Ukraine, Minsk and Kiev, Rostov and Tbilisi, Leningrad and Moscow, were all enumerated in Rosenberg's proposals. For the post of the Reichskommissar of Moscow, Rosenberg recommended the notorious Erich Koch.

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1019-PS
PS-1039
USA-146

We have heard about Rosenberg's meetings with Brauchitsch and Raeder and of his conferences with Funk, General Thomas, state secretary Backe and others, on the questions of economical exploitation of the eastern territories, and about his negotiations with Ribbentrop, the SS Chief of Staff, the Chief of the German intelligence service, Admiral Canaris. Already six weeks prior to the attack on the USSR, he worked out directives for all the Reichskommissars of the occupied Eastern territories, in which he provided for a "Reichskommissariat Russia" and the "Reichskommissariat Caucasus", whilst the Byelorussian republic was to form a part of the "Reichskommissariat Ostland".

USA-144

PS-1030

Rosenberg's attempts to affirm that he did not share in the aggressive, predatory aims of the war against the USSR, and that, in his capacity of Minister for the occupied Eastern territories, he all but loaded with benefits the population of these territories. And this he dares to affirm, when the directive to the Reichskommissar of the Baltic countries and Byelorussia, described his aims as follows:

> "... the creation of a German protectorate for the purpose of subsequent inclusion of these regions in the Greater German Reich, by means of the germanization of elements - suitable from the racial point of view, of the colonization by the representatives of the German race and of the extermination of the undesired elements".

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H5158 – 0050

And this is said in addition to the following recommendations made in another of ROSENBERG's directives on the subject of the civil administration in the occupied Eastern territories:

EC-347
USA-320

> "Our main task ... is the furthering of the Reich's interests. The regulations of the Hague Convention regarding land-warfare are not valid, as we can consider that the USSR has been destroyed ... For this reason, all measures which the German administration deem necessary of convenient are admissible".

ROSENBERG was too hasty in his assertion that the USSR was destroyed, let the cat out of the bag, and gave away his secret plans. But this document is also an irrefutable proof, invalidating all the attempts of the defendant to threw off his shoulders the burden of responsibility for the monstrous crime perpetrated by the German-fascist aggressers throughout the occupied territories of the USSR, to the shoulders of individual officials and policemen, of KOCH and HIMMLER.

It was ROSENBERG, who permitt[illegible] repudiation of the Hague Convention and the utilization of all measures which might seem "convenient". When KOCH, for his "convenience" exterminated the population of the entire Zuman district, he was acting in the spirit of this directive of ROSENBERG.

ROSENBERG described here his dissentions with KOCH; he alleged that he has followed humanitarian policy and even imposted agricultural machinery.

Even if ROSENBERG did indeed, from time to time, object to KOCH's actions, it was only because he was afraid of premature publicity, because he was afraid that KOCH's unparalleled ill-treatment of the Ukrainian people would only strengthen the resistance movement. ROSENBERG was influenced by fear and not by any humanitarian considerations. ROSENBERG's true policy is set out in numerous documents which have now become known to the world's public opinion and which are in the files of the Tribunal.

PS--045

In an "official note for Fuehrer" dated 16.3.1942, Rosenberg set out the aims of the German policy in the occupied territories of the USSR and, first of all, in the Ukraine ..."the utilization of minerals, the creation of a German colony in certain regions, no artificial intellectual development of the population, but its preservation as a source of manpower".

In his report on the reorganization of the Caucasus, ROSENBERG wrote that:

USSR--58

> The problem of the East consists in the transplanting of the Baltic nations to the soil of German culture and in the preparation for the large-scale expansion of the German frontiers.

The task of the Ukraine is to secure the necessary food supplies for Germany and Europe, and the raw materials for the continent. The problem of the Caucasus is primarily a political problem and it will lead to the expansion of continental Europe,
USSR-58 headed by Germany, from the Caucasus isthmus to the near East."

And finally I would like to point out that it was ROSENBERG who had made the following statement, at a conference of the German Labor Front, on the policy in the occupied USSR territories:

USSR-170 "It is obvious, that if we are to subjugate these peoples, arbitrary justice and tyranny will be the most suitable form of government."

The Defense affirms that ROSENBERG and his "Einsatzstab" were not concerned with the plunder of cultural treasures, but with their preservation. This statement is also quite false. Numerous documents read into the record at this trial, have proved that as early as April 1941, i.e. more than two months prior to the attack on the USSR, ROSENBERG was organizing special units and staffs and was elaborating plans for the removal of the cultural treasures of the Soviet Union.

USSR-375 On 16.X.41 ROSENBERG wrote to Hitler as follows:
EC-076

"I have now given an order to a similar operative staff of my organization to carry out in the occupied Eastern territories the work already accomplished in the West. . . . .

.... Having before our eyes the whole picture, we can satisfay all the just wishes and demands of the Greater German Reich. On this basis I would also be willing to take upon myself to guarantee that all the treasures of art from the Lintz and other museums which can be utilized for your personal plans, are really used for this purpose".

027-PS On 17 October 1944, ROSENBERG wrote to LAMMERS that for the transport
USA-338 of goods "listed" by his organization, it was necessary to use 1.418.0 railroad cars, whilst 427.000 further tons were transported by water. In this same letter, ROSENBERG mentioned that amongst the confiscated goods removed to Germany, there were 9.000 cars with agricultural and other machinery.
And after this, he dares to speak about some machines which he has allegedly imported into the Ukraine!

And finally, I shall speak about the ridiculous theory of the so-called ROSENBERG's "noble antisemitism". It is absurd to argue with ROSENBERG's counsel, who affirms that there exists such a thing as a "noble antisemitism",

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and all the more absurd it is to argue with Rosenberg. In my statement to the Tribunal, I threw light upon the fascist propaganda contained in the defense speeches. Now, I would like to recall to the Tribunal the text of two of Rosenberg's documents:

In his directive of 29.IV 41, he wrote:

USA-278
PS-1024 "The general solution of the Jewish problem must at the present moment be carried out by methods of a tempory character. Slave labor for Jews, the creation of Ghettos, etc., must be the solution of this problem."

Even more cynical and frank is the statement made by Rosenberg in November 1942, when he, in his capacity of Minister for the Occupied Eastern Territories, addressed a conference of the German labor front:

USSR-170 "We must not be satisfied - said Rosenberg - with the deportation of Jews to another country and with the creation here or there of a large Jewish ghetto; no, our object must always remain the same. The Jewish problem in Europe and in Germany will be solved only when there are no more Jews left on the European continent".

USA-289
P-135 And the operations "Kotbus", the extermination of Jews in the Baltic towns, in the Ukraine and Byelorussia - all these were carried out in conformity with Rosenberg's theories and with his agreement.

In 1937 Rosenberg received the German national prize. Commenting on this event, the fascist press wrote as follows:

USA-600
PS-3559 "Alfred Rosenberg has brilliantly succeeded with his books in building up the scientific and the spiritual foundations of, and in consolidating and strengthening the philosophy of the national-socialism.

Only future generations will be able to appreciate fully the profound influence of this man on the philosophical foundations of the national-socialist state".

But the future - became the present. And I am sure that the Tribunal will be able to appreciate duly not only the influence exercised by Rosenberg on the "philosophical foundations of the national-socialist state", but also his active participation in all the crimes against peace and humanity perpetrated by the Hitlerites.

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H5158 - 0053

F R A N K

A lawyer by training the defendant Hans FRANK was one of those who liked to speak about reviewing the "ancient German" law for Germans, about "Principles of Justice", for the "select" about the "right of the chosen people" to annihilate nations and countries.

In 1939 he was the very man, who had been corrupting the German legal conception for a long time, to whom Hitler entrusted the fate of subjugated Poland. Frnak arrived in Poland to realize practically the programme of enslavement and extermination of the people on the territory of a country possessing a history which had lasted for ages and original high culture.

I should like to remind the Tribunal of some of Frank's views expressed during the first months of his stay in Poland, taken from his so called "diary". It is hardly worth while to discuss with the defense counsel the probative value of this document.

Frank himself declared to the magistrate that "this document was of historical importance" and to the question "whether all his statements contained in the diary were true", he replied "they fully correspond to what I know".

On 19th January 1940 Frank declared with cynical frankness at the conference of the department-leaders.

USSR-223
page 4
2233-PS

"On 15th September 1939 I was entrusted with the task of governing the conquered eastern territories and recieved the special order to ruin this territory ruthlessly as a war territory and a war trophy and to turn it into a heap of rubble from a point of view of the social, economic, cultural and political structure".

On 31 October 1939, in the presence of Goebbels at a conference uniting the leading officials of the Government-General, he declared: "A perfectly accurate differenciation must be made between the German people - the master-race - and the Poles".

USSR-223
page 3

He then remembered the Polish culture which Frank, as defense counsel Dr. Seidl said here, took so great care of. He stated: "The Poles can be allowed only those possibilities for educating themselves which would prove the hopelessness of the destiny of their nation. Alone bad films or films demonstrating the might and greatness of the Germans can be taken into consideration for the purpose".

USSR-335

One of Frank's first instructions was the order to shoot hostages. Later on similar orders were to be counted by the hundred and the thousand until they finally culminated in the edition of "regulatio dated 2 October 1943.

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USSR-223
page 3
USSR-223

On 10 November 1939 FRANK was informed that the day of Polish independence was approaching and that posters were be hung up on certa houses to remind the Poles of their national holiday. The following entry then appeared in FRANK's "Diary": "The Governor-General decrees that one inhabitant of the male sex is to be taken from every house on which a poster of this kind is hung up and is t be shot". "The Pole must feel that we do not intend building a lawful state for him." The short extract we are quoting from the speech FRANK made at the conference of the department-chiefs of the "Government-General" characterizes this hitlerite "lawyer" far better than lengthy excerpts taken from his parade-speeches which we were obliged to listen to here ...

The criminal activity of FRANK in Poland is so very manifold, that there is no possibility, in a short speech, to reconstruct to the Tribunal the innumerable proofs of FRANK's guilt which have been submitted in this court-room and which are evidently still fresh in the memory of the judges.

But from FRANK's criminal activities in Poland we must segregate the predominant trait which is FRANK's activity as the murderer of millions of people.

Of course he looted, he was GOERING's Plenipotentiary for the 4-year plan and he looted, so to say,"be it merely in this capacity

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page 6

He sent over 2 million Poles to Germany for forced labour. The attempt of the defense to represent FRANK as "the enemy of coercive methods of recruitment", can be based only on the assumption that body excepting counsel had studied Frank's diaries. For FRANK never can escape documents such as the minutes of the meeting of the department leaders dated 12 April 1940,or the notes of Gauleiter Sauckel of the 18 August 1942, or the transcript of the meeting with Buehler, Krueger and others of the 21 April 194

But he sent people to forced labour in order to wring them dry in the interests of the "Reich" before sending them to their doom The regime, set up by Hans FRANK throughout Poland during all the stages of the temporary German domination in this country,

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was a regime for the inhuman destruction of millions of people by means of varied, but equally criminal, methods.

It is not merely incidental that the Germano-fascist assassins who annihilated 11 thousand of polish prisoners of war in Katyn forest should refer to the regime which FRANK instituted in Poland as an example of his own activities (as the Tribunal has been able to ascertain not so very long ago in this court-room from the evidence presented by the former deputy to the mayor of Smolensk - prof. BASILEVSKI.)

I consider it to be particularly important, at this point to emphasize the conception FRANK had of the relations with the Polish population after the war:

"I insistently draw your attention, said FRANK, to the fact that, should peace be concluded, nothing would change in our treatment. This peace will signify that we, as a world power, will conduct more firmly than hitherto our general line of policy. This peace would signify that we will have to carry out colonization on an grandiose scale, but the principle will not have changed."

USSR 223

This was stated in 1940 when FRANK was contemplating the first mass murder of the Polish "intelligentsia", the so-called "AB" action.

In 1944, at the meeting of the agricultural leaders at Zakopane FRANK said:

"If we win the war, then in my opinion we could make minced-meat of the Poles and Ukrainians and of all those who are idling around the Government-General. If only we keep them in subordination during war-time. "Come what may".

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p. 21

It was not FRANK's fault, that as early as in 1944, dreaming to make "minced meat" of Poles and Ukrainians he was compelled to add: "If we win the war". At this time he couldn't be as emphatic his utterings as on 2nd August 1943, when at the reception of the Party speakers in the Royal Palace in Cracow he spoke about the exterminated Polish Jews:

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p. 21

"Here we started out with 3.500.000 Jews, now but a few workers remain from this number. All the others, we shall some day say, emigrated".

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FRANK himself as well as his counsel tried to affirm that the defendant had known nothing about what was going on at the concentration camps of the General Government. However, in this very "Secret report" addressed to Hitler by FRANK, which the defense counsel tried to utilize on behalf of FRANK we may find a confirmation of the fact that FRANK was well informed about what was happening in the camps. It is said there:

"Most of the Polish intellectuals are not susceptible to the influence of the news from Katyn and in answer quote similar atrociti in Auschwitz".

Then FRANK cites a highly characteristic passage describing the reaction of the Polish workers to the provoking communications of the Germans about Katyn:

"There are concentration camps in Auschwitz and Maidanek, where mass murder of the Poles was carried out along chain-production lines." and further:

"Today, unfortunately, the Polish public opinion and not only the intellectuals, compare Katyn to the mass death rate in the German concentration camps, as well as to the shooting of men, women, and even of children, and old people when carrying out collective punishme in the districts."

After the "secret report" addressed to Hitler there was no other "new course" on FRANK's part. On the contrary FRANK published his regulation of 2nd October 1943, which the defendant himself termed as "dreadful", when questioned by his counsel. After his "regulation" had been carried into effect many thousands of innocent people became his victims. The number of executions increased steadily till it amounted to 200 persons executed at a time in Warsaw.

USSR-335 The same thing happened in the streets of all the Polish towns, where the so-called "police courts" carried out executions, as it is said in the text of the regulation itself, immediately following the verdic The people doomed to die were brought to the place of execution wearing paper clothing, with their lips glued together with sticking-plaster, their mouth stuffed with plaster, bled white in prison. At the state conference held in Cracow on 16th December 1943, where FRANK stated with great satisfaction that the executions had "favourable consequences", another question was simultaneously discussed. In the records of this conference it is said:

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USSR-223 pag. 20. "We must discuss the question whether, it is possible to arrange special places of execution, as it has been established that the Polish population gathers at accessible places of execution to collect the earth saturated with blood into vessels which they place in Churches".

The defense counsel tried to speak here about interminable dissensions of Frank with the police; he had allegedly disagreed with their action. Let us see what kind of dissensions these were.

The first "sonder-action" carried out in Poland,namely: the AB operation - a physical extermination of several thousands of Polish intellectuals - had not been initiated by the police, but had been initiated by Frank himself. According to the Decree of Hitler of 2nd May, 1942, the director of the police was subordinated to the Governor General. When some dissensions between Frank and the chief of the police did arise, it was KRUEGER who had to leave his post of police chief,whereas Frank remained Governor General of Poland. As for the Obergruppenfuehrer KOPPE who took the place of KRUEGER, who else was it but FRANK who expressed his thanks to him on 16th December 1943 for shooting the hostages, "his gratitude for his fruitful work" and noted with satisfaction "a great specialist is at the head of the police at the Government General". It is incomprehensible about what dissensions concerning the policy was counsel SEIDL talking about.

His counsel even tried to represent FRANK as "a singularly peaceful antisemite", who entertaining a negative attitude towards the Jewish people never initiated massacres of the Jews or even instigated same. It is incomprehensible in this case how the following words of FRANK would be interpreted by the counsel:

USSR-223 pag. 22. " The Jews - are a race that should be exterminated. Whereever we catch even one - he shall be done away with".

Or his declaration at the government sitting of 12th August 1942, when he said:

"That 1,2 million Jews have been condemned by us to starvation is quite comprehensible. It stands to reason that if these Jews do not die of starvation, this will lead to precipitated active measures directed against the Jews".

The criminal activity of the henchman of the Polish nation led to the extermination of millions of people.

H5158 - 0058

USSR-223 page 16

"You see how the state organs are working, you see that they don't hesitate before anything and stand up people by the dozen against the wall". - This is the manner in which Frank himself at a conference of the Standartenfuehrers held the 18 March 1942 characterized the bloody regime of terror set up throuought Poland.

USSR-223 page 21

"I did not hesitate to declare that for one German killed up to a hundred Poles would be shot" - these words were pronounced by Frank on the 15 January 1944 at a meeting of the political leaders of the NSDAP.

USSR-223 page 22

"Had I gone to the Fuehrer and told him:"My Fuehrer, I am reporting to you that I have exterminated another 150.000 Poles", he would have said: "Perfect, if it was indispensable"- stated on the 18 March 1944 whilst making a speech at the Reichshof, that very same FRANK who now tries to convince the Tribunal that he had some "differences of opinion on matters of principle" with Hitler and Himmler.

Tho declarations that FRANK made during the first months of his stay in Poland were a veritable programme of murder which were perpetrated by the defendant methodically, ruthlessly and according to plan.

FRANK, of course, was fully aware of the fact that should war not bring victory with it, he would have to carry the full responsibility for the crimes committed in Poland as well as for his participation in the fascist conspiracy.

As early as 1943 FRANK spoke about this at a meeting with his accomplices. We must give credit where it is due: as a lawyer he was much more correct in his depiction and formulation of the concepts of a criminal conspiracy than certain lawyers at this trial who, basing themselves on outmoded understandings, endeavour to dispute the foundation for a conspiracy put forward by the prosecution

It was at this government meeting held in the presence of the police on the 25 January 1943 that the Governor -General of that time declared to "Himmler's hyenas":

USSR 223 page 18

" ... I would like to emphasize one point: we must not squirm when we hear of 17.000 people being shot. These shot people are also victims of war. Let us now remember that all of us, assembled here, figure on the list of criminals

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of Mr. Roosevelt. I have the honor of being number one. We have become, so to say, accomplices on a world history scale. It is exactly for this reason that we have to keep together and must share the same general ideas and it would be simply funny if we started to wash our dirty linen in public by bickering about methods".

This appeal to murder is very far from the "interminable quarrels with the police" which defendant FRANK spoke about here.

The defendant made a mistake about one thing: he was incorrect in defining his place in the dock. But he was not mistaken about the fundamentals: he took his place in the dock as a "criminal on a world history scale".

H5158 - 0060

F R I C K

The history of the development of the nazi movement in Germany and the mumerous crimes of the Hitlerites are indissolubly connected with the name of the defendant Wilhelm FRICK.

As Minister of the Interior of the Hitlerite government, FRICK participated in the issuing of numerous laws, decrees and other acts directed towards the destruction of democracy in Germany, the persecution of the church, the discrimination against the Jews etc.

In this capacity, the defendant FRICK contributed most actively to the creation in Germany of the hitlerite totalitarian state.

During a period of many years, the German secret state police (Gestapo) which was to acquire a gruesome fame, was subordinated to the defendant FRICK.

Official Transcript morning 26-4-46 p. 37-38

The order concerning the extermination of aged people and of the insane was issued in 1940 by no other than the defendant FRICK.

In his capacity of Minister of the Interior of Hitlerite Germany, as the witness GISEVIUS testified to this in court, FRICK was fully cognisant of the vast system of concentration camps spread throughout the Reich, as well as of the existence in these camps of an inhuman regime.

The part played by the defendant FRICK in the preparation and the realization of the Hitlerite government's aggressive plans, was considerable. He was a memberrof the State Defense Council as well as Plenipotentiary for General Administration.

All the documents, by which the Hitlerite conspirators legalized the incorporation by Germany of the zeized territories, were signed, among others, by the defendant FRICK.

In his capacity of Protector of Bohemia and Moravia, the defendant FRICK bears personal responsibility for all the crimes committed on that territory by the Hitlerites.

H5158 - 0061

After the feloneous attack of hitlerite Germany upon the Soviet Union, the defendant FRICK's Ministry of the Interior participated most actively in the setting up of the administration in the seized territories of the USSR. The machinery of the German occupational authorities in the East, was manned mainly by officials of the Ministry of the Interior.

There is no need to dwell again upon the part played by this machinery, which was created with the most active cooperation of the defendant FRICK, in the extermination, the driving into slavery and the other inhuman actions carried out against the civilian population of the occupied territories.

FRICK bears full and direct responsibility, for all these crimes inasmuch as he was an active participant of the Nazi conspiracy.

H5158 - 0062

S T R E I C H E R

Notwithstanding the fact that during the war years, the defendant Julius STREICHER did not formally hold functions directly connected with the perpetration of murders and mass executions, it is hard to overestimate the crimes committed by this man.

Together with Himmler, Kaltenbrunner, Pohl and those who conceived, constructed and switched into action the gas chambers and "gas-wagons"; together with those who personally committed mass "actions", STREICHER must bear responsibility for the most cruel crimes of German fascism.

The enflaming of national and racial dissention, the cultivation of depraved cruelty and the calling to murder - all this was not only the party function of this man, but also the source of his income.

S-58 S-17 And it is not by accident, that in his greeting to STREICHER dated April 1937, and which is already known to the Tribunal, HIMMLER expressed his high esteem for the merits of "Der Stuermer" and of its publisher.

One can consider STREICHER as the actual "spiritual father" of those who quartered the children of Tremblinka. Had it not been for the "Stuermer" and its publisher, German fascism would not have been able to educate at such short not those mass cadres of murderers who personally put into effect the criminal plans of Hitler and his gang, by murdering over 6 million European jews.

Over a period of many years, STREICHER spiritually corrupted the children and youth of Germany. The so-called "children's editions" of the "Stuermer" have been submitted to the Tribunal.

tono-ram D.1. 946 orn. ess. .39-1 v. ess. .1-5 And therefore, together with Baldur von SCHIRACH, STREICHER must bear responsibility for the selection of jewish children from the Lvov ghetto, for target practice by the morally depraved "Hitler-Jugend". It is not by accident, that von SCHIRACH held in so high an esteem STREICHER's "historical merits".

No.1/ The fanatical "Nurnberg laws" were only the " beginning of the struggle" for thi "judeophobe". (as he called himself) who was also the organizer of the first jewish pogroms. As the Tribunal can recall, after these laws were issued, Streicher called for the physical extermination of the Jews in Europe and he wrote: "This problem will only be solved when world jewery is exterminated."

H5158 - 0063

I will not dwell again, either, on the shameless and mendacious "ritual numbers" of the Stürmer, which were to incite the SS men towards the killing of millions of guiltless persons and to justify any atrocity directed against the jews. These proofs of STREICHER's guilt, which were among others, submitted to the Tribunal, are of common knowledge and not subjected to any doubt.

GB-332
PS-801

In 1939 he anticipated Maidanek and Treblinka and wrote that "perhaps graves alone" will testify to the previous existence of jews in Europe.

In 1943, when the gas chambers of Treblinka and Auschwitz were already engulfing millions of victims, the "Stuermer" published articles inciting to the liquidation of the "ghetto", articles which were full of lies and maliciousness and finally the "Stuermer" could state with sadistical satisfaction that:" The Jews of Europe have dissapeared".

STREICHER lied all his life. He attempted to lie, here, in Court. I do not know whether he believed he would be able to deceive anybody by these lies, or whether he lied from habit or out of fear.

But it seems to me that it must be apparent, even to the defendant himself, that his last lie will not deceive anybody and will not bring him salvation.

H5158 - 0064

S C H A C H T

In carrying out a vast and complicated task the defendant, Hjalmar SCHACHT played an emminent part in the preparation and the realization of the criminal plans of the Nazi conspirators.

SCHACHT's defense position is extremely simple.

If he is to be believed, purely patriotic motives drew him to Hitlerism. He was against aggressive wars but for the rearmament of Germany in order to maintain peace. He was for the return of Germany's colonies in view of establishing economic stability in Europe.

Having come to the conviction that the policy of the Nazi government was directed towards an excessive armament and thereby bore the menace of another world war, SCHACHT went over to the opposition. He sabotaged the measures taken by the Hitlerite government and as a result he was persecuted as a participant in the plot against Hitler.

Defendant SCHACHT strives now to depict the enthusiastic letters, full of expressions of loyalty which he addressed to Hitler, as a method of camouflaging his real oppositional feelings towards the Hitlerite regime.

Actually, SCHACHT's connection with the Nazi movement begins as early as 1930. SCHACHT was drawn to National Socialism and both Hitler and Goering sought SCHACHT's support. Indeed the latter, with his vast connections in Germany's industrial and financial spheres, could, like nobody else, render invaluable services to the Nazi movement. And this he did.

PS-457 As early as August 29, 1932, in a letter to Hitler, SCHACHT assured the latter of his loyalty.
These were not mere words, for more than anybody Defendant SCHACHT played a decisive part in Hitler's advent to power. It was he, Schacht, who organized the demand formulated by the German industrialists
PS-376 for Hitler to be named Reich Chancellor.
As early as 1932 he, Schacht, declared to von Papen, who was then Reich
US-161 Chancellor of Germany:" Hand over your post to Hitler".
D203 It was again Schacht who, in 1933, on the eve of the Reichstag elections,
US-655 called the conference of industrialists which created an election
US-767 fund of several million marks for the Nazi party.

H5158 – 0065

Hitler's closest follower, GOEBBELS, characterizes thus the part played by SCHACHT and his importance in the creation of Nazi Germany. On the 21st of November, 1932, he wrote down in his diary:"In a talk with Dr. SCHACHT, I came to the conviction that he fully shares our

US-262 point of view. He is one of the few who fully agrees with the position of the Fuehrer."

PS-2409 In his spring fair speech at Leipzig, on the 4th of March, 1935, the defendant SCHACHT depicted himself his part in the Nazi state:
"I can assure you that all that I do and all that I say is in full agreement with the Fuehrer, and that I will do and say nothing that would not be approved by the Fuehrer. That is why it is the Fuehrer and not I who is the bearer of economic reason."

As SCHACHT expected, Hitler appreciated his merits at their full value. After his advent to power in 1933 Hitler immediately nominated SCHACHT to the post of President of the Reichsbank and then to the Ministry of Economy, and finally to the post of plenipotentiary General on matters of War Economy.

The prosecution and the proceedings have proved the extraordinary part played by SCHACHT in the preparation of Germany's armaments and consequently in the launching of aggressive wars.

US-838 The former war minister, von BLOMBERG, testified that in 1937 the
PS-3901 development plans of the armed forces were close to completion and that SCHACHT was informed of these plans and of their financing.

SCHACHT was one of the most consistent partisans of the Nazi's criminal plans. In a talk with the United States Ambassador Fuller on the 23rd of September, 1936, SCHACHT stated that: "Germany absolutely needs colonies. If it is possible, we will acquire them by means of negotiations. If not,
US-629 we will seize them."

PS-450 Speaking in Vienna in March, 1938, SCHACHT declared:
US-632 "Thank God, this could not prevent the great German people from Continuing on its course, because Adolf Hitler unified German
PS-297 will and German thought. He strengthened it with reinforced armed forces and in the end he gave an outer shape to the inner unity of Germany and Austria."
Defendant SCHACHT was entrusted with extraordinary powers in the sphere of war economy.

Over a period of many years SCHACHT cumulated the functions of Reichsbank President, Minister of Economy, and Plenipotentiary General of War Economy.

Be it only as a result of these positions, the defendant SCHACHT played an enormous and decisive part in the creation and resurrection of Nazi Germany's war economy and armed forces.

US-644
-104
US-650
US-397

This activity of the defendant SCHACHT is clearly described in the numerous laudatory letters which he received from Hitler.

The defendant SCHACHT and no other was the creator of the adventurous method of issuing so-called "Mefo bills", by which twelve millions of Reichsmarks were signed, aside from the budget assignations, to Germany economy for rearmament purposes.

As was already stated above, the defendant SCHACHT attempted, at various periods of his activity, to stress his alleged ever-increasing dissension with the Nazi regime. In reality, SCHACHT was carrying out a double game. On one hand, he shielded himself from the responsibility for the criminal policy of the Nazi government by flirting with persons who actually did strive to overthrow the Nazi regime, and on the other, he remained loyal to this regime.

It was only in 1943, when the downfall of Nazi Germany became apparent to such a hard-boiled politician as SCHACHT, that he established connection with oppositional circles. However, true to himself, he took precautions for any event and he did not actually do anything personally to overthrow the Nazi regime, and that is why he was spared by Hitler.

That is the portrait of the defendant SCHACHT, and that is the part played by him in Hitler's conspiracy and war crimes.
It is the part of the creator of Nazi Germany's war economy and of an instigator of the Second World War launched by the criminal Nazi government.

H5158 - 0066

F U N K

Walter Funk became a nazi long before his official admission in 1931, into the membership of the NSDAP, and he remained a nazi up to the end His economic knowledge, his experience as a journalist, his extensive connections with the leaders of the German industry, trade and finance- were put by him at the service of the Hitlerite conspirators.

An article published in the newspaper "Das Reich" on 13 August 1940, under the heading "Walter Funk - pioneer of the national-socialist thought ", read as follows:

USSR-450 Trans. 7.V.46, morn.ses. page 51

"Walter Funk was true to his principles because he was, is and always will be a true national-socialist, a champion, devoting all his labour to the victory of the Fuehrer's ideals".

What was meant by Fuehrer's ideals, we already know only too well. Funk devoted to these "ideals" 15 years of his life.

Trans. 6.V.46 ev.ses. pp 57-62

Funk declared that he had nothing in common with the SS, but it was he, Funk, who transformed the caves of the Reichsbank into depositories for the treasures, plundered by the SS-men in the Eastern and other occupied territories.

Trans. 7.V.46 morn.s. pp.1-22

Funk personally gave orders, after his negotiations with Himmler, to take into the Reichsbank the golden tooth plates, the glass rims and other valuables belonging of the victims of numerous concentration camps, tortured to death.

Trans. 3.I.46 morn.s. p.17.

The Gruppenfuehrer SS Hoiler was Funk's deputy. Under Funk's directio operated Olendorf, this murderer, who has the death of 90.000 persons on his conscience.

USA-36 PS-2194 USSR-451

Funk, supplementing Schacht's measures, put the whole of Germany's economy at the service of the aggressive Hitlerite plans, and later on - the economy of the territories Germans occupied as well.

USA-662 PS-2409

Already in May 1939, Funk, together with his Deputy, Landfried, elaborated plans for the financing of the war and the utilization of the eco mic ressources of Germany and annexed Czechoslovakia, for war purposes.

H5158 - 0067

H5158 - 0068

USA-782
PS-378

On 23 June 1939, FUNK takes part in the conference of the Reich Defense Council, which eleborated detailed plans for the reconversion of all national economy to a war footing.

USSR-452

Already at that epoch, FUNK was not only informed of Germany's impending attack on Poland, was not only cooperating in the realization of this aggressive plan , but was also preparing economically new wars, the seizure of new territories. Such were "Fuehrer's" great political aims "which were set out by FUNK, a few months later, in his article entitled "Economic and Financial mobilization",

I shall mention one more document, On 25 August 1939, FUNK wrote to HITLER:

GB. 49
PS-699

"Feldmarshal GOERING told me that my Fuehrer yesterday evening approved the main points of the measures conceived by me for the financing of war, stabilization of prices, fixation of wages and the organization of subscription/obligatory donnations; this news made me happy". /to

A long time before the treacherous attack of Germany against the USSR, FUNK participated in the elaboration of plans for the spoliation of the riches of the Soviet-Union.

FUNK attached his collaborators to ROSENBERG's ministry and to the Economic Staff OST - this predatory organization. FUNK's agents took part also in the plunder of Czechoslovakia, Jugoslavia and other occupied countries.

FUNK was the president of the "Continental Oil" Company, which was created for the exploitation by Germans of the oil fields in the occupied Eastern territories, and especially, the oil fields of Grosny and Baku.

Trans.
7-5-46
morn.
pp 1-64

FUNK was in full agreement with the predatory aims of the war launched by Germany against the USSR. He made a speech on 17 December 1941 in Prague, to the effect that the East is the future German colony. FUNK participated at the conference which took place on 6-8-1942 at GOERING's office, for the discussion of the most effective measures for the economic plunder of the occupied territories of the USSR, Poland, Czechoslovakia, Jugoslavia, France, Norway, and other countries.

H5158 - 0069

At this conference, as well as at the confernece of the "Central Planning Board", FUNK participated in the elaboration of plans for the deportation to slavery of millions of people from the occupied territories.

Such are the fundamental stages of the criminal activity of the Hitlerite conspirator, defendant FUNK - Hitler's personal adviser on the economic questions since 1931, Reich Minister and Plenipotentiary General for Economic questions, President of the Reichsbank and member of the Reich Defense Council, during the period of the preparations and the realization of the criminal plan (conspiracy).

The guilt of FUNK, this active participant of fascist conspiracy for the realization of crimes against individuals, in war crimes and crimes against humanity - this guilt has been fully proved and he must bear the responsibility for the evil deeds perpetrated by him.

H5158 - 0070

SCHIRACH

Since 1931 and until the end of the war, the defendant Baldur von SCHIRACH was at the head of the Nazi youth.

After the publication of 1st December 1936, of a decree concerning the Hitlerite youth, von Schirach was - in his capacity of the Reich leader of youth - directly subordinated to Hitler.

In his depositions before the Court, the defendant SCHIRACH, in his efforts to avoid the responsibility for the education of the German youth in the spirit of national-socialist ideas, made frequent references to the fact that "Hitlerjugend" was a youth organization independent of the nazi party and the Hitlerite government.

For the purposes of his defense, the defendant SCHIRACH deemed it possible and relevant to refer to the great Goethe, whose words -"the youth itself educates young people"-were utilised by SCHIRACH with open cynicism.

Goethe was, of course, right when he said that "the youth itself educates the young people". But he meant the healthy, full value, joyfull youth, and not youth corrupted with the obscurantism of the Hitlerism, described clearly by the words of Hitler adressed to RAUSCHNING:

USSR-378 (p.252)

"We shall educate youth before which the whole world shall tremble - rough, exacting, cruel youth. That is what I want. Our youth must be in the possession of all these qualities. It must be without pity before suffering. It must be without weakness or softness. I want to see a glint of the wild animal in its eye."

And the Defendant SCHIRACH instilled systematically the ideas of Hitlerism in the conscience of German youth and educated the German youth in the spirit of Hitler's wishes, modelling them after the image of the grown-up leaders of the Hitlerite band.

During cross-examination, the defendant SCHIRACH was, at the end, forced to admit that the German youth was brought up in the spirit of national-socialist ideas, that members of the S.A., officers of the German armed forces and the SS, participated in its education, and that intense preparation of the youth for war was being carried out in Germany. For this purpose, special agreements were made between the Reich leaders of "Hitlerjugend" and the OKW, as represented by the

defendant Keitel and the Reichsfuehrer Himmler, which made provisions for the education of youth in the spirit of agressive militarism and appropriate enlistment and the preparation of youth for the German armed forces and the SS units.

The part taken by the defendant von Schirach and his participation in the common conspiracy, in war crimes and crimes against humanity, are best of all characterised by the behaviour of the German youth brought up in "Hitlerjugend" during the war.

The Soviet prosecution has presented to the Tribunal under #USSR-6, in conformity with Article 21 of the Charter, a report of the Extraordinary State Commission about the crimes of the Germans on the territory of Lwow region.

This report records the declaration of the French citizen , Ida Wasseaux about the inhuman execution by the members of the "Hitlerjugend" of young children, of whom they made targets for shooting.

USSR-455 In her written deposition of 16 May 1946, and also in her answers to the questionnaire of Counsel for the defendant Schirach, Ida Wasseaux confirmed this declaration in full.

Conclusive testimony about the actions of the members of the "Hitlerjugend" in the cadre of the German armed forces were given by a German soldier, war-prisoner, Hertom Knitel, himself a

USSR-454 former member of the "Hitlerjugend" since 1938 and, at the age of 18, was recruited in to the German army in 1942. who

Describing his participation in numerous crimes, Hert Knitel, declared:

"In the locality of Lishaisk, our company set on fire in June 1943 a house with all the people who were in it... All those tried to jump out of the house, we shot down, excepting one old woman whom we did shoot, down, as she lost her mind before our very eyes..." not

For all these crimes, the defendant von Schirach bears full responsibility together with Hert Knitel and thousands of others.

Schirach himself did not, of course, shoot, did not set on fire but he armed the German youth, morally corrupted it and prepared it for the realization of any atrocity.

But the activity during the war of the "Hitlerjugend" and the defendant Schirach was not limited to these crimes only.

H5158 - 0071

H5158 - 0072

USSR-193
USSR-36
USSR-357

The "Hitlerjugend" took an active part in the preparation of the war of aggression by the creation of fifth columns in Poland and Yugoslavia; the official reports of the Polish and the Yugoslav Governments testify to this fact. The Organization "Hitlerjugend" took an active part in the execution of all the measures undertaken by the Ministry for Occupied Eastern Territories, and this is shown by the report of the defendant ROSENBERG, presented to the Tribunal as 31039-PS; it participated also in the deportation for slavery from the occupied territories of children between the ages of 10 and 14, which fact is proved by a document presented to the Tribunal under # 1031-PS.

In his capacity of Reich Deputy and Gauleiter of Vienna, SCHIRACH directed personally the eviction of 60.000 Jews from Vienna, and who afterwards were exterminated in the concentration camps of Poland.

The documents presented by the Prosecution - weekly reports addressed to SCHIRACH, prove the fact that he was informed of all the numerous crimes perpetrated by the German armed forces and the occupation authorities in the East, and , in particular, about the tragic fate of the tens of thousands of Jews deported from Vienna.

In 1940, the defendant SCHIRACH sent a telegram to BORMANN, in which he demanded the destruction from the air of one of the cultural towns of Great Britain, in answer to the murder of HEIDRICH, that butcher of Bohemia and Moracia.

This telegram is in itself a sufficiently vivid and convincing description of the moral aspect of von SCHIRACH.

Faithfull to the Hitlerite clique, right to the end, aware of all its criminal deeds, in which he himself took an active part - the defendant von SCHIRACH is one of the most sinister figures of the third Reich.

H5158 - 0073

SAUCKEL.

I already indicated in my Opening Statement that the action of deporting civilians: men, women and children for forced labor into Germany, was one of the most important in the chain of heinous crimes committed by the germano-fascist usurpers.

The desisive role in this sinister crime was enacted by the defendant Fritz Sauckel.

During cross-examination in this court-room defendant Sauckel could not help but admit that during the war about 10 million enslaved laborers originating both from occupied territories and from the ranks of prisoners of war, were utilized in German industrial undertakings and also partly for German agricultural labor.

Whilst admitting the deportation to Germany and the utilization for the war industry of Hitlerite Germany of millions of workers from the occupied territories, Sauckel denied the criminal character of this action, affirming that the recruting of labor was allegedly carried out on a voluntary basis.

This assertion is not only a lie but a slander against the millions of honest patriots of the Soviet Union, of Czechoslovakia, Yugoslavia, Poland, France, Holland, who, devoted to their country, were forcibly sent for labor into Hitlerite Germany.

The attempts of defendant Sauckel to depict his part of plenipotentiary general as merely consisting of coordinating and controlling other government labor organizations are futile. As the Plenipotentiary general for labor employment, Sauckel was invested by Hitler with supreme and all-encompassing powers, and was, in his activity, directly and personally subordinate to Goering.

And Sauckel extensively used these full powers in order to deport to Germany labor from occupied territories.

There is no need to refer to the extensive documentary evidence presented to the Tribunal and which irrefutably establish the criminal character of the methods of mass deportation into slavery of the population of occupied territories as well as the role of the defendant Sauckel in organizing these crimes

H5158 - 0074

USA-171
031-PS
USSR-365
025-PS
USA-698

How far these crimes extended is shown in the operation carried out by the German military and civil authorities, ciphered under the name "Seno", which provided for the forced deportation of children from the ages of 10-14 into slavery, as well as for the deportation of Ukrainian girls destined by Hitler for Germanisation.

The defendant Sauckel has tried to assure the Tribunal that he had strictly complied with the demands of the Geneva and Hague Conventions concerning utilization of labor of prisoners of war. However his own instructions fully expose his lies

USA-206

The defendant Sauckel had planned beforehand the forced utilization of Soviet war prisoners for the war industry in Germany and never made any difference between them and the civilian labor forces.

The inhuman conditions under which the foreign workers and prisoners of war deported for slavery lived, are testified to by the numerous documents submitted as evidence.

The defendant Sauckel himself was obliged to admit that foreign workers were kept in camps with barbed wire and were obliged to wear special identifying badges.

The witness Dr. Wilhelm Eger summoned to the Tribunal by counsel for the defence was obliged to give an awful picture of the conditions under which the enslaved workers at Krupp's works lived.

After all this, the deposition of the other witness Fritz Wishofer seems ridiculous because trying to excuse Sauckel, he manifestly overdid it by informing the Tribunal that he allegedly saw foreign workers walking and enjoying themselves in the Prater in Vienna.

The defendant Sauckel showed great activity in committing all these crimes. In April 1943 he personally visited the towns: Rowno, Kiev, Dniepropetrovsk, Saporozhie, Simferopol, Minsk, Riga and in June of the same year - Prague, Cracow, and again Kiev, Saporozhie and Melitopol in order to force the deportation of labor.

195-PS

And it was as a result of his journey to the Ukraine in 1943 that Sauckel expressed his gratitude for the successful mobilization of labor forces, to the Reichscommissar of the Ukraine Koch, known for the drastically cruel measures which he applied to the Ukrainian population.

And it is not mere chance that the criminal activity of Sauckel was so highly appreciated in Hitlerite Germany.

H5158 – 0075

On 6th August 1942 the defendant Goering declared at the conference of the Reichscommissars for the occupied territories:
"I do not wish to praise Gauleiter Sauckel. He does not need it. But what he has done in this short time in order to gather workers and to have them brought to our enterprises is a unique achievement. I must tell everybody, gentlemen, that if each of you applied but the tenth part of the energy which Gauleiter Sauckel applied, it would be easy indeed to fulfil the tasks imposed upon you ..."

In the article published in the Reichsarbeitsblatt" for 1944 dedicated to the 50 anniversary of Sauckel it was said:

"True to his political task, he pursues his responsible course with unyielding consistency and steadiness, with a fanatical belief. As one of the most faithful adherents of Hitler, he gathers his creative and spiritual strength from the Fuehrer's trust in him".

When estimating the criminal activity of Sauckel, Your Honours will surely consider the tears shed by the millions of people who languished in German slavery, of the thousands of people tortured in inhuman conditions in the worker's camps - they will consider this and will judge accordingly.

H5158 - 0076

S E Y S S - I N Q U A R T

The defendant Arthur SEYSS-INQUART was appointed by Hitler Chief of the civil administration in Southern Poland at the beginning of September 1939 and since 12 October of the same year - Deputy Governor General of Poland. He occupied this post till May 1940.

For seven months SEYSS-INQUART personally, under the leadership of FRANK and jointly with him propagated a regime of terror in Poland, and took an active part in elaborating and realizing the plans for the extermination of many thousands of people, for the economic plunder and enslavement of the people of the Polish state.

On 17 November, 1939 SEYSS-INQUART addressed the chiefs of the administration and departments of the Warsaw Government mentioning among other things, that

Transc. 16.1.46 ov.sess. p.24

when the German administration acted in the General Government "its leading principle must be - the interests of the German Reich. By means of a severe and unrelenting administration this region must be utilized for German economy, and in order not to show any unnecessary charity, one must remembere how the Polish race usurped the German territory".

Two days later SEYSS-INQUART instructed the Lublin Governor Brigadenfuehrer SS on the same question in the following way: "The resources and the inhabitants of this country must serve Germany, and they may prosper only within these limits. The development of independent political thinking cannot be permitted. Perhaps the Vistula will have an even greater significance for the fate of Germany than the Rhein".

Same Transc. pp. 33-34

The report on the official journey of SEYSS-INQUART establishes that the Governor of Warsaw FISCHER informed the defendant that all valuables of the Warsaw bank in gold, precious metals and bills of exchange were transferred to the Reichsbank, whilst the Polish inhabitants were obliged to leave their depostis in the banks; that the German administration was employing forced labor; that the Lublin Governor SCHMIDT declared in the presence of SEYSS-INQUART:

PS-2278 US-487

"This territory with its strongly marked swampy nature could serve as a region for the Jews.

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where conditions could be created to shoot every tenth of them"

I draw to the attention of the Tribunal the fact that it was exactly at Majdanek near Lublin that the Hitlerite henchmen created an enormous death concern in which they exterminated about one million and a half of human beings.

Doc. of Def. v.I p.125 USSR-223 PS-2233

It is also known that Seyss-Inquart, as Frank's deputy, fulfilled on his behalf "special tasks".

On 8th December 1939, Seyss-Inquart took part in a conference on the following subjects: the appointment of Frank as authorized plenipotentiary for the 4 Year Plan and the tasks of the Governor-General "to obtain from the economy of the Government-General all that is best and useful for the Reich"; the numerous trains of Jews and Poles which had arrived since the 1st December from the re-annexed territories, which transportations would continue - according to Obergruppenfuehrer SS Krueger, till the middle of December; the issue of supplementary [illegible] extending labour recruitment to persons of the age of 14 to 18.

USSR 223

On 21st April 1940 the defendant took part in the conference at which measures for forced deportation of Polish workers to Germany were elaborated.

On 16 May 1940 the defendant took part in the elaboration of the AB operation, which was nothing but a plan of wilful mass extermination of the Polish intellectuals.

Trans. 16.1. 46 ev. p.25 - 26

In connection with the appointment of Seyss-Inquart as Reichskommissar for the Netherlands, Frank and his worthy deputy exchanged farewell speeches:

"I am exceedingly glad, said Frank, to assure you that the memory of your work in the Government General will live forever when the future world Reich of the German nation will be created..."

"I have learned much here - answered Seyss-Inquart - above all about the initiative and firm leadership of the kind I saw in my friend, Dr. Frank.

... All my thoughts are connected with the East. In the East we have a National-Socialist mission, in the West we have functions".

The function of Seyss-Inquart in the West, as the functions of other Reich ministers and Kommissars in all territories occupied by the Germans are well known: it is the function of henchman and plunderer.

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My colleagues have given the details about the criminal part played by Seyss-Inquart when annexing Austria and realizing other aggressive plans of the Hitlerite conspiracy; they have clearly shown how Seyss-Inquart applied in the Netherlands the bloody experiment, learned by him whilst collaborating with Frank in Poland. For this reason I may fully support the charges against Seyss-Inquart as they are formulated in the Indictment.

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V O N P A P E N

As early in 1932, whilst still Reichschancellor of the German republic, the defendant Franz von PAPEN actively contributed to the development of the fascist movement in Germany.

Papen rescinded the decree of his predecessor BRUENING prohibiting the activities of the SA storm units. It was he who overthrew the Braun-Severing social-democratic government in Prussia.. These measures strengthened greatly the position of the fascists and contribute to their accession to power.

In this manner PAPEN cleared the way for Hitler. Having secured the power for the Nazis, PAPEN himself assumed the post of Vice-Chancellor in Hitler's cabinet. In this capacity von PAPEN participated in the elaboration and the promulgation of a series of legislative acts which aimed at the consolidation of German fascism.

And later on, during the course of many years, and until the collapse of Hitlerite Germany, von PAPEN remained true to his fascist friends and participated to the utmost of his abilities in the realization of the criminal conspiracy.

The defendant von PAPEN is attempteing now to explain away/ his role in the development of the Nazi movement and in Hitler's rise to power by the political situation of the country which, according to him, made Hitler's accession to power unavoidable.

The real motives which guided von Papen are that he himself was a convinced fascist devoted to Hitler.

Speaking at Essen on the 2 November 1933, during the electoral campaign for the Reichstag, PAPEN declared

Transc. 23.1.46 evening sess. p.14

"From the time that destiny called upon me to become the pioneer of the national reawakening and rebirth of our Fatherland, I strove with all my might to support the work of the national-socialist movement and of its leaders. Just as I pronounced myself, when I became chancellor, for paving the way for the young shock movement of liberation,

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just as on the 30th January I was elected by a merciful providence to transfer the power to the hands of our Chancellor and Fuehrer, so today I fell it incumbent upon me to tell the German nation and all those who have kept their trust in me: merciful God has blessed Germany by giving her, in the days of deep distress, such a leader with the reliable intuition of a statesman, who will lead her through all misfortunes and weaknesses, through all crisis and dangers to a happy future".

The International Military Tribunal will appreciate to the full the criminal activity of the defendant von PAPEN, who played a decisive part in the seizure of power by Hitler and, in doing so, contributed to the creation of the dark powers of nazism who brought bloody wars on the world and caused innumerable calamities.

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S P E E R

Long before the Nazi came to power the architect, Albert Speer, was a personal friend of the architect's draftsman, Hitler, and remained one till the end. Not only common professional interests but political interests also brought them together. Speer began his career in 1932 with the reconstruction of the "brown house" - the headquarters of NSDAP in Berlin, and in 10 years' time he was at the head of all the military construction and war production in Fascist Germany. Starting with the construction of the building of the Reichs "Parteitag", Speer ended by setting up the "Atlantic Wall".

Speer held an important post in the government and military machinery of Hitler's Germany and played a direct and active part in planning and realizing the criminal conspiracy.

What is Speer's "line of defense" at the trial? Speer presents his case in the following way; he was pressed upon by Hitler to take on the post of minister; he was an intimate friend of Hitler's, but he knew nothing about his plans; he had been a member of the Nazi party for 14 years, but he was far from politics and had never even read "Mein Kampf". It is true, that upon being given the lie Speer confessed that he had lied during his preliminary interrogation at the inquest.

USA-575 Speer lied when he denied that he had never belonged to the SA, and then to
Ps-3568 the SS. The Tribunal possesses the original file of the SS man, Albert Speer, who belonged to the personal staff of the SS Reichsfuehrer Himmler.

Speer held also a rather high rank in the Nazi party. In the party Chancellery, he was delegate for all technical questions, he headed the chief technical administration of the party, he directed the union of German National Socialist technicians, he was plenipotentiary on the Staff of Hess and a leader of one of the major German Labor Front organisations.

After all this can Speer's declaration that he was an apolitical specialist be taken into consideration? In reality, as a close collaborator of Hitler, Hess, Ley and Goering, he directed the German technique not only as Reichsminister, but also as a Nazi political leader.

H5158 - 0082

1435-PS
Transdr.
21.6.46
m.sess.
p.43-82
v.sess.
p.20-82

Upon succeeding to Todt, Speer, as he expressed himself in his speech before the Gauleiters, devoted himself completely to the solution of war problems. By means of the pitiless exploitations of the population in the occupied territories and of the prisoners of war of the allied countries, at the expense of the health and lives of hundreds of thousands of people, Speer increased the production of armament and ammunition for the German army. By plundering the raw materials and other resources of the occupied territories, Speer increased the war potential of Hitler's Germany. His powers grew with every month of the war. By Hitler's Decree of 2.IX.1943 Speer became plenipotentiary and responsible for the supply of raw materials, for the direction and production of war industry. He was even commissioned to regulate the turnover of commodities and by Hitler's Decree of 24 August 1944 Speer was practically made dictator of all German Authorities in Germany as well as in the occupied territories whose activity was in any way connected with the strengthening of German military power.

USSR-480
USSR-482
USSR-483

And when the Fascist flyers bombed peaceful towns and villages, killing women, old men and children, when the German artillery bombarded Leningrad, when the Hitlerite pirates sank hospital ships, when the "V" bombs destroyed towns in England, all this came as a result of Speer's activity. Under his leadership, the production of gas and of other means of chemical warfare had been widely increased. The defendant himself, when interrogated by Justice Jackson at the trial, confessed three factories were turning out products for chemical warfare and they were working at full speed till November 1944.

Doc.def.
pag.119

Doc.def.
v.II,p.123
USA-179
USA-225
PS-1292

Speer not only knew of the methods used by Sauckel for deporting to slave labor the populations from the occupied territories, but he himself took part, together with Sauckel, in conferences with Hitler and on the "Central Planning Board", where decisions were taken to deport millions of people to Germany from the occupied territories.

Doc.def.
v.II,p.88
Transcr.
12.XII 45
p.31 & 88
& USA-179

Speer kept up a close contact with Himmler: he received from Himmler prisoners for work in war factories; branches of concentration camps were organized in many factories subordinated to Speer;in recognition of Himmler's services Speer supplied the SS with expertenced specialist and with supplementary war equipment.

Speer has said a lot here about his having sharply criticized Hitler's environment, that he had allegedly had very serious dissensions with Hitler, and that, in his letters to Hitler, he had written about the uselessness of continuing the war. When the representative of the Soviet Prosecution asked Speer: which of the persons close to Hitler he had criticized and in what connection, the defendant answered: "I shall not tell you".

It is quite evident that Speer not only did not want, but could not tell it, for the simple reason that he had never criticized anyone who was close to Hitler. More, he could not criticize, as he was a convinced Nazi himself, and belonged to this close environment. As to the so-called "serious dissensions", they began - as Speer admitted - when it became clear to him that Germany had lost the war. Speer's letters to Hitler are dated March 1945. At that time Speer could, without great risk, depict Germany's hopeless condition. It was apparent to everyone and was no longer a subject of disscussion. And it was not by accident that Hitler appointed precisely Speer, on 30.III.1945, to direct measures for the total destruction of the industrial enterprises, by obliging all Party, State and military offices to render him extensive help.

Doc. def. V.Ip.76-80

That is the true picture of the defendant Speer and the real part played by him in the crimes committed by Hitler's gang.

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N E U R A T H

Constantine von NEURATH's part in the consolidation of the nazi conspirators power and in the preparation and realization of aggressive plans, is a remarkable one.

Over a period of many years, every time that traces had to be covered up, that acts of aggression were to be veiled by diplomatic manipulations, NEURATH - nazi diplomat and SS general, came to the help of the Hitlerites, bringing them his longstanding experience of world affairs.

I will recall the official evaluation of NEURATH's activity, as it appeared in all the news-papers of fascist Germany on the 2.II.1943.

SSR 485 "The departure from the Geneva disarmament conference on the 14 October 1933, the return of the Saar territory, and the proclamation and denunciation of the Locarno treaty will rank among the most outstanding political events since the coming to power of the Nazi regime. In these, Baron von NEURATH played a decisive part and his name will always be connected with them."

Transcr. yen.s. 5.6.46 .75 63 PS In his capacity of Reich protector of Bohemia and Moravia NEURATH was to the Nazi conspirators, those "firm and reliable hands", of which general FREDERICI wrote in his memorandum, and which were to turn the Czechoslovak republic into an "indissoluble part of Germany". In order to attain that object, NEURATH established the notorious "new order", the nature of which is now known to all and sunday.

NEURATH attempted to assert, here, that all the atrocities were committed by the police and Gestapo, upon Himmler's direct order, and that he knew nothing of them. It is quite understandable that NEURATH should say so, but one can hardly agree with him.

Interrogated on the 7 March 1946, Karl FRANK testified that NEURATH received regularly the reports of the Chief of Security Police, as well as those of FRANK himself, regarding the "most important events in the Protectorate, pertaining to the Security Police". He stated also that it was possible for NEURATH to issue directives SSR 494 to the Gestapo, and that he did indeed do so; whilst, as far as the SD was concerned, his rights were still more vast depending in no way upon the consent of the Main Reich Security Office (RSHD)

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Transcr. oven. s. 25-6-1945 pp 78-79

I wish also to recall to your memory, paragraphs 11, 13 and 14 of the ord issued on 1 September 1939 by the Reich Defense Counsel which prove that the Reichsfuehrer SS and Chief of the German Police carried out administrative measures in Bohemia and Moravia with the knowledge of the Reich Protector, and that the German Security Police organs in the Protectorate were obliged to inform the Reich Protector, as well as the offices subordinated to him and to keep them aware of all major events.

If I add that, on the 5-5-1939, the defendant NEURATH appointed an SD Fuehrer and Plenipotentiary of the Security Police to the post of political case reporter; if we recall the testimony of Richard WIENERT, the former Premier of Bohemia and Moravia under NEURATH, which has been read before the Court, to the effect that the Gestapo carried out arrests on orders of the Reich Protector - we can hardly have any doubt but that NEURATH gave his sanction to the mass arrests, summary executions and other inhuman acts, committed by the Gestapo and police in Czechoslovakia.

I will pass on to the events of the 17 November 1939, when 9 students were shot without trial, whilst over a thousand were hurled into concentration camps and all the Czech high schools and universities were closed for three years.

NEURATH said that he heard of these acts of terror post factum. But we have submitted to the Tribunal a report on the shooting and arrests of the students, which bears NEURATH's signature. NEURATH then seeks another loop-hole: he declares that FRANK signed this report in his, NEURATH's name, and to be more convincing, he even adds, that later he heard from an official that FRANK often misused his name in documents. Are NEURATH's statements to be credited? One has only to analyse briefly the actual facts, in order to answer this question in the negative:

NEURATH says that FRANK misused his name. What did NEURATH do in answer to this? Did he demand FRANK's resignation or his punishment for fraud? No. Did he, perhaps, report this forgery officially, to somebody? Neither. On the contrary, he continued to collaborate with FRANK as before.

NEURATH says that he heard of FRANK's misuses "from an official". Who is that official? What is his name? Why wasn't any application made to call him to the witness stand, or, at least to secure his written testimony? This is simply because nobody spoke to NEURATH of FRANK having forged his signature on the documents and nobody could have done so for there was no forgery.

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But on the contrary, the Tribunal has evidence which confirms the fact that the report of 17 November 1939 was signed by Neurath and th the terroristical measures mentioned therein, were actually sanctioned by Neurath. I am speaking of two statements of Karl Frank, who directly participated in these bloody events:

USSR-60 During his interrogation on 26 November 1945, Karl Frank testified:

"This document was dated 17 November 1939 and was signed by von Neurath, who did not protest either against the shooting of the 9 students, or against the deportation of numerous students to the concentration camps".

USSR-494 I quote Karl Frank's second testimony on this matter, dated 7 March 1946:

"By countersigning the official reports which informed him of the shooting of the students, the Reich Protector von Neurath, sanctioned this action. I informed von Neurath in detail of the course of the investigation and he signed the report. Had he not agreed and had he demanded a modification of the penalty, or its mitigation, and he had a right to do so, I would have been obliged to give in to his opinion".

In August 1939, in connection with the "special decree", by which he proclaimed Bohemia and Moravia to be an "integrant part of the Greater German Reich", Neurath issued a so called "warning",
USSR-490 therein he stipulated that "not only single persons but the entire Czech population would be responsible for all acts of sabotage". Thereby he established the principle of collective responsibility and introduced the hostages system. The events of 17 November 1939, considered in the light of this directive of Neurath, supply more irrefutable proof against the defendant.

Starting from the 1 September 1939 some 8.000 Czechs were arrested
USSR-60 as hostages in Bohemia and Moravia. The majority were sent to concentration camps, many were executed or died of hunger and torture. On this subject you have heard, Your Honours, the testimonies of Wienert, Kreitchi and Gavelka.

There is no doubt that these terror acts against the Czech intellectuals were carried out in conformity with NEURATH's "warning".

I do not need to relate in detail all the events which took place at Lidice, and later in the village of Lejaki, as they are already well known. Were not the German occupants acting in accordance with NEURATH's "warning", did they not conform themselves to his principle that the entire Czech population, and not the individual persons, must bear the responsibility!

It was NEURATH who initiated mass terror against the Czechoslovak population in August 1939. He has on his hands the blood of many thousands of women and men, children and old people, murdered and tortured to death. And I see no difference between Baron von NEURATH and the other ringleaders of the criminal Nazi regime.

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F R I T Z S C H E

The defendant Hans FRITZSCHE's part in conspiracy, the war cimes and the crimes against humanity, is certainly greater than it might appear at a first glance.

The criminal activity of FRITZSCHE, who was GOEBBELS' closest assistant, carried out systematically, day after day, was a very important link in the general plan or conspiracy and it contributed singularly to the creation of the conditions, under which the numerous crimes of the Nazis were conceived and cultivated.

All the attempts made by the defendant himself and his counsel in order to minimize his importance and the part he played in the perpetration of these crimes, have clearly failed.

In "Mein Kampf", HITLER describes the very special part attributed in nazi Germany to mendacious propaganda.

He writes: "The problem of the ressurection of German might can be defined not as to "How we will make weapons" but "How we will create the spirit which will make our people capable of bearing weapons". If this spirit invades the people, will power shall discover thousands of ways, and each, of them will lead to weapons" (I am quoting from pages 365-366 of "Mein Kampf", 54th. ed. 1933)

US 276

Neither is it an accident that at the 1936 Congress of the Nazi Party in Nuernberg, the following slogans were proclaimed:

"Propaganda helped us to come to power"

"Propaganda will help us to keep power"

"Propaganda will help us to conquer the world".

Owing to his position, the defendant FRITZSCHE was certainly one of the notorious propagandaists and also one of the best informed persons in nazi Germany. Besides he enjoyed GOEBBELS' particular confidence.

As we know, from 1938 to 1942, FRITZSCHE was head of one of the key departments of the Propaganda Ministry, that of the German Press. And ever since 1942 and until the defeat of nazi Germany, he was head of the German radio.

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Having grown up, as far as journalism is concerned, in the reactionary press of Hugenberg, Fritzsche, who was a member of the Nazi party since 1933, in his capacity of Government spokesman, played with his personal propaganda, an important part in the dissemination of nazism throughout Germany, and in the political and moral depravation of the German people.

USSR 472
USSR 471

This was testified to, in detail, by witnesses such as former fieldmarshal Ferdinand SCHOERNER and former vice-admiral Hans VOSS.

The defendant FRITZSCHE's broadcasts, taken down by the BBC, and submitted to the Tribunal as document 3064 PS and USSR exhibit 496, fully confirm these charges of the Prosecution.

German propaganda in general, and the defendant FRITZSCHE in particular, made good use of provocational methods, lies and slanderous statements, and this was especially the case when Nazi Germany's acts of aggression had to be justified.

For didn't Hitler himself write in "Mein Kampf" page 302:

USA 276

"that with the help of an able and continuous application of propaganda, one can even picture to the people, heaven as being hell, and, on the contrary, the most sorrowful life can be pictured as heaven."

FRITZSCHE turned out to be the best man to carry out this dirty work. In his declaration to the Tribunal, on the 7 January 1946, FRITZSCHE gave a detailed description of the provocative methods applied on such a vast scale by German propaganda and by him, personally, in connection with the acts of aggression against Austria, the Sudetenland, Bohemia and moravia, Poland and Jugoslavia.

3465 PS
USA 614

On the 9 April and the 2 May 1940, FRITZSCHE broadcast mendacious explanations of the reasons which led to the occupation of Norway by Germany. He declared:" Nobody was wounded, not one house was destroyed, life and work continued unhindered as before.-"

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Meanwhile, the official report presented by the Norwegian Government states: "The German attack against Norway on the 9 April 1940 brought war to Norway for the first time in 126 years. For 2 months, war was fought throughout the country, causing destructions. Over 40 thousand houses were damaged or destroyed and about 1000 civilians were killed".

German propaganda and Fritzsche, personally, spread insolent slander in connection with the sinking of the british passenger steamer "Athenia".

But German propaganda was particularly active on the occasion of nazi Germany's feloneous attack upon the Soviet Union.

The defendant Fritzsche has attempted to assert that he first heard of the attack upon the Soviet Union, when he was called on the 22 June 1941, at 5 a.m. to a press conference held by Foreign Minister von Ribbentrop. As far as the aggressive purposes of this attack were concerned, he allegedly only had knowledge of them, as a result of his personal observations, in 1942.

1039 PS
USA 146

However, these statements are disavowed by such documentary evidence as the report of defendant Rosenberg. This document establishes the fact that a long time prior to the attack upon the USSR, Fritzsche knew of the appropriate measures which were being taken and that in his capacity of representative of the Propaganda Ministry, he participated in the working out by the Ministry for Occupied Eastern Territories of propaganda measures in the East.

In answer to the questions put to him by the Soviet Prosecution, during his cross-examination, Fritzsche stated that he would not have gone with Hitler, had he had knowledge of the Nazi government's criminal orders, of which he heard for the first time, here, in court. And here again, Fritzsche has told the International Military Tribunal a lie -

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Thus he was compelled to admit that he had knowledge of the criminal nazi orders regarding the extermination of Jews and the shooting of Soviet commissars, as early as 1942. And yet, he continued, hereafter, to remain at his post and to spread mendacious propaganda.

In his broadcasts on the 16 June and I July 1944, FRITZSCHE made a great
USSR 496 case of the utilization of new weapons, doing his best to whip up the army and the people to further senseless resistance.

And even on the eve of the crash of nazi Germany, on the 7 April 1945, FRITZSCHE broadcast an appeal to the German people to continue to resist the allied armies and to participate in the Werwolf-movement.

Thus, the defendant FRITZSCHE remained true to the last to the criminal nazi regime.

He gave his entire self to the task of realizing the nazi conspiracy and of perpetrating all the crimes which were conceived and carried out in view of putting that conspiracy into effect.

As an active participant of all the nazi crimes, he must bear the fullest responsibility for them.

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Your Honours,

All the defendants have passed before you - men without honour or conscience; men, who hurled the world into an abyss of misery and suffering and brought enormous calamities upon their own people.

Political adventurers, who stopped before no evil deed in order to achieve their criminal designs; cheap demagogues, who concealed their predatory plans behind a veil of mendacious ideas; henchmen, who murdered millions of innocent people, these men joined in a gang of conspirators, seizing power and transforming the German state machinery into an instrument of their crimes.

Now, the hour of reckoning has come.

For the past nine months, we have been observing the former rulers of fascist Germany. In the dock, before this court, they have suddenly become meek and humble. Some of them, even, actually condemned Hitler. But they blame Hitler, not for the launching of a war, not for the extermination of peoples and the plundering of states; the only thing they cannot forgive him - is Defeat. Together with Hitler, they were ready to exterminate millions of human beings, to enslave the elite of mankind in order to achieve their criminal aim of world domination.

But History judged otherwise: victory did not follow upon the steps of Crime. Victory came to the freedom-loving nations. Truth triumphed and we are proud to say that the justice which is meted out by the International Military Tribunal, will be the justice of the right cause of peace-loving nations.

The Defense spoke about humaneness. We know that the concepts of civilisation and humaneness, democracy and humaneness, peace and humaneness - are inseparable. But we, the defenders of civilisation, democracy and peace - we categorically reject insensible humaneness which is considerate of the murderers and indifferent to their victims. Counsel for KALTENBRUNNER also spoke here of love for one's fellow-men. Connected with KALTENBRUNNER's name and actions, all mention of love for one's fellow man, sounds like blasphemy.

My Lord, your Honours,

My statement concludes the case for the Prosecution speaking here on behalf of the peoples of the Union of Soviet Socialist Republics, I consider all the charges against the defendants as fully proven.

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And in the name of the sincere love of mankind which inspires the peoples who consented to the greatest sacrifices in order to save the world, freedom and culture, in memory of the millions of innocent human beings slaughtered by a gang of murderers, who are now before the Court of a progressive mankind, - I appeal to the Tribunal to sentence all the defendants without exception to the supreme penalty.

Such a verdict will be greeted with satisfaction by all progressive mankind.

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FINAL STATEMENT

BY

LIEUTENANT GENERAL R.A. RUDENKO

CHIEF PROSECUTOR ON BEHALF OF USSR

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MY LORD

YOUR HONORS!

We are summing up the results of the legal proceedings against the major German war criminals.

During nine months, all the aspects of the case and all the evidence, presented to the Tribunal by the Prosecution and by the Defense, have been subjected to the most meticulous and detailed examination.

Not a single point of the deeds with which the defendants have been accused, has been left without verification, not a single significant circumstance has been overlooked during the investigation of the present case.

For the first time in the history of mankind, criminals against humanity are being held responsible for their crimes before an International Criminal Tribunal; for the first time, nations are trying those who had inundated vast expanses of the earth with blood, who had annihilated millions of innocent people, destroyed cultural treasures, who had made a system of massacres, tortures, extermination of aged people, women and children, who had made a wild claim to the mastery of the world and hurled it into an abyss of unheard-of calamities.

Indeed, this trial is the first of its kind in the history of justice. A Tribunal sits in judgement, a Tribunal created by the peace-loving and freedom-loving countries, who represent the will of and who defend the interests of the whole progress-loving mankind, which does not wish the recurrence of calamities, which will not permit a gang of criminals to carry out with impunity their preparations for the enslavement of nations and the extermination of peoples, prior to realizing their heinous plans.

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Mankind calls the criminals to account; and on the behalf of mankind, we, the prosecutors, accuse at this trial.

And how pitiful are the efforts to dispute the right of mankind to judge the enemies of mankind, how vain the efforts to deprive nations of the right to punish those who made the enslavement and the extermination of peoples - their aim, and who for many years strove to realize this criminal aim by criminal methods.

The present trial is being conducted in such a manner that the defendants, who are accused of the most heinous crimes, are given all the possibilities for a defense, all the necessary legal guarantees.

In their own country, the defendants who stood at the head of the Government, destroyed all legal forms of justice, and discarded all the principles of legal proceedings accepted by civilized mankind.

But they themselves are being tried by the International Court in accordance with all legal guarantees and they are assured of all the defense rights.

We are now summing up the results of the legal proceedings, we are drawing conclusions from the evidence examined before the Court, we are considering all the data upon which the accusation is based.

We ask: were the charges put against the defendants proved before the Court, has their guilt been established?

To this question, there is only one answer: the legal proceedings fully confirmed the charges.

We incriminate the defendants only of those facts which have been fully established and proved to the Court beyond all doubt, whilst all the monstrous crimes have been proved, crimes which were prepared

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over a period of many years by a band of wild criminals, who seized power in Germany, and who perpetrated these crimes during many years, having no regard for the principles of law or the most elementary standards of human morality.

These crimes have been proved, the defendants' testimonies and the arguments of the defense have been powerless to contend the charges - they cannot be contended because it is impossible to contend the truth, and truth is the lasting result of this trial, the unfailing issue of our long and stubborn efforts.

All the elements of the charges have been proved. It has been proved that there existed a common plan or conspiracy for the preparation of aggressive wars, in violation of international law, the enslavement and the extermination of peoples, in which the defendants took part.

There can be no doubt as to the existence of such a plan or conspiracy just, as there is no doubt about the leading part played in it by the defendants.

This point of the accusation is confirmed by all the data brought in during the legal proceeding, by irrefutable documents, by the testimonies of witnesses and of the defendants themselves.

All the activity of the defendants was directed towards the preparation and the initiation of aggressive wars. All their so-called "ideological work" consisted in the cultivation of beastly instincts, in the instillation of the absurd idea of racial superiority, in the conscience of the German people and in the practical realization of the plans for extermination and enslavement of the peoples of "inferior" races, who were supposed to serve as a fertiliser for the growth of the "master race".

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Their "ideological work" consisted in calling to murder, to plunder, to the destruction of culture, and the extermination of human beings.

The defendants prepared these crimes long in advance and then committed them, attacking other countries, seizing foreign territories, exterminating people.

When was this plan or conspiracy conceived?

Of course, it is hardly possible to give an exact date - day and hour - on which the defendants conspired to commit their crimes.

We cannot and shall not establish our conclusions and assertions on guesses and suppositions, but it must be considered as established beyond doubt that from the moment when the fascists seized power in Germany they started the realization of their aims and utilized this power for the preparation of aggressive war. Indeed, immediately after their seizure of power, the fascists began to carry out a huge programme of rearmament and reconversion of economy for war purposes.

All the activity of the defendants was directed towards the preparation of Germany for war.

This rearmament and reconversion of economy for war purposes is an irrefutable fact - it has been proved by documents and admitted by the defendants themselves.

We may ask, what was this war for which the defendants began to prepare immediately after the seizure of power? Could this be a defensive war?

But nobody intended attacking Germany; nobody had such an idea, and - in my opinion - such an idea could not have even existed.

As Germany was not preparing for a defensive war and in as much as the very fact that she did prepare for war is established - it is evident that she was preparing for a war of aggression. That is the logic of the facts and such are the facts themselves. Germany initiated and waged the war which she had been preparing, and in 1937-1939 happened just that for what she had been preparing in 1933.

Hence we may conclude: the plan or the conspiracy existed at least since 193. i.e. from the moment when the Fascists seized the power and used it for their own criminal purposes.

These are the facts which are confirmed by the words of the defendants themselves uttered at a time when they did not suppose that they ever will be defendants.

It is enough to mention the addresses of Schacht, Krupp and others in which they describe how the Fascist Government was preparing for war and how all the fields of political and economic life were subjected to this one purpose.

I consider fully proved the charges against the defendants to the effect, that in 1933 when the Hitlerites seized the power in Germany they created a plan or conspiracy including the perpetration of crimes against peace, war crimes and crimes against humanity.

The legal proceedings have fully proved the crimes against peace perpetrated by the defendants, which consist in planning, preparing, initiating and waging aggressive wars, in violation of international treaties, agreements and assurances.

The facts here speak for themselves; wars which involved innumerable victims and destructions; wars - the aggressive nature of which has been undoubtedly established.

H5158 - 0099

The guilt of the defendants in having committed crimes against peace has been fully proved.

The charge of perpetrating war crimes, in waging war by methods contrary to the laws and customs of war, have been fully proved.

Neither the defendants themselves, nor their counsel of defense could make any objections to the very facts of their having committed these crimes.

All that they could say to this, was that the defendants themselves had not committed these atrocities the extermination of people, "murder vans" and concentration camps: they had not destroyed the Jews with their own hands, and had not even known about such particular facts. But that such facts existed the defendants themselves do not deny.

The defendants admit these facts.

A fruitless method of defense!

Certainly, the defendants occupying high leading posts in Hitler's Germany were in no need of shooting, hanging, smothering, freezing live people themselves by way of experiment and so on...

Their subordinates did that according to their instructions; henchmen did, so to say, the dirty work; whilst the defendants only had to give orders which were incontestably obeyed.

Therefore, the attempts of the defendants to deny their connection with the henchmen, to separate themselves from them, were hopeless.

This connection is evident and indisputable. If the Commandant of Auschwitz, Rudolph Hoess, pulled out the golden teeth of the dead, we may say that the Reichsminister, Walter Funk, opened special safes in the cellars of the Reichsbank to keep these golden teeth in.

H5158 - 0100

H5158-0101

If the subordinates of Kaltenbrunner exterminated people in "murder vans", the vans themselves were built at the works of Sauer, Daimler and Wenz, the subordinates of the defendant Speer.

If the prisoners of war were destroyed by professional henchmen of the unit "Toten Kopf" ("Dead Head") and by the guards of the camp, the orders to exterminate were signed by Fieldmarshal of the German Army, Keitel. That is to say the defendants appointed the terms of extermination, issued the orders to create a special technique of murder, explained the reasons for the right of the master races to exterminate"inferior races.

It was they who were calmly and ruthlessly watching the tortured victims an as Hans Frank making solemn speeches about "one more step" taken by German Fascism towards clearing "the living space" of "inferior races."

For every murder, for every drop of innocent blood shed by Hitler's henchmen, the defendants are responsible, for between them and the direct perpetraters of the crimes, murder, torture, there is a difference only in rank and scope of action: those are the direct henchmen, and these are the principal henchmen, the chiefs of the henchmen, henchmen of a higher grade. They are far more dangerous than those trained in the spirit of hatred towards humanity and wild fanaticism, whom they now repudiate in order to save themselves.

The criminality of the defendants in the perpetration of war crimes has been fully proved; that they initiated a system of exterminating war prisoners, peaceful inhabitants, women, old men and children; it is their fault, that wherever the German soldier stepped, there lay heaps of murdered and tortured people, ruins and places left barren by fire, land desecrated and covered with blood.

H5158-0102

The crimes committed against humanity have been completely proved. We cannot omit the crimes committed by the defendants in Germany during their domination: the extermination of all those who expressed their discontent in any way with the Nazi regime, slave labor and extermination of people in concentration camps, mass extermination of Jews, and the same slave labo and extermination of people in the occupied territories, all this has been proved and the charges are irrefutable. What means of defense have the counsels used, what kind of proofs and arguments could they give to refute the charges?

The arguments of the defendants may be divided into two main groups. First, a number of witnesses summoned by the defense counsel. These wit-- nesses had to extenuate the guilt of the defendants with their evidence, to diminish the part taken by them in committing the crimes, rehabilitating them by all means.

These witnesses themselves were in most cases defendants in other trials.

How can we speak about the objectivity and authenticity of the evidence given by the witnesses of the defense, if the innocense of the defendant Funk should be confirmed by his deputy and accomplice, member of SS since 1931, HELLER, bearing the rank of "Gruppenfuehrer SS"; if the criminal RAINER, member of the Fascist Party since 1930, and Gauleiter of Salzburg, and then of Kaernten was summoned to give evidence on behalf of Seyss-In-quart.

H5158-0103

Those so called "witnesses", such as for instance BUEHLER - the right hand of the defendant FRANK and accomplice to all his crimes, or BOHLE, one of the principal leaders of the spying activities of the Hitlerites and chief of the foreign section of the fascist party, came here in order to commit a perjury to try to protect their former "bosses" and to save their own lives.

Nevertheless most of the "witnesses" for the defense during the interrogatio became - witnesses for the prosecution. They were convicted by the "mute witnesses" - documents, mostly German; they themselves were forced to expose those whom they intended to protect.

Another type of the means used by the defense - are the legal arguments and considerations.

Some legal aspects of the Trial.

The accusation in the present trial is based on enormous quantity of irrefutable facts and strongly established on the principles of law and justice. Therefore, already in the opening speeches for the prosecution, so much attention had been paid to the legal aspect of the responsibility of the defendants.

In the speeches of the defense a number of legal questions was raised again:

a) Of the importance of the principle "Nulla crimen sine lege"

b) Of the importance of the order

c) Of the responsibility of the State and individuals

d) Of the concept of conspiracy.

Therefore I consider it necessary to return again to some legal questions in order to answer to the attempts of the defense to

H5158-0104

confuse the simple and clear statements and to change the legal argumentation into a kind of "smoke-screen" in an effort to conceal from the Tribunal the gruesome reality of the fascist crimes.

a) Principle "Nullum Crimen sine lege"

The defense attempted to deny the accusation by proving, that at the time when the defendants were perpetrating the offenses incriminated to them, the latter had not been foreseen by the existing laws, and therefore the defendants bear no criminal responsibility for them.

I could simply refer to the principle "Nulla Crimen Sine Lege," as the Charter of I.M.T., which is an immutable law, provides that this Tribunal "shall have the power to try and punish persons, who acting in the interest of European Axis countries, whether as individuals or as members of organisation" committed any of the crimes enumerated in Art.6 of the Charter.

Therefore from the legal point of view, the sentence can be pronounced and carried out without requiring the deeds incriminated to the defendants to be foreseen by the criminal law at the time of their perpetration. Nevertheless, it is without doubt that the deeds of the defendants at the time when they were being committed, were criminal acts from the point of view of the existing criminal law.

The principles of criminal law contained in the Charter of I.M.T. are the expression of the principles contained in a number of international agreemen enumerated in my opening statement of 8th February 1946 and in the criminal law of all civilized

H5158-0105

countries.

The law of all civilised countries pmpo imposes criminal responsibility for murder, torture, violence, plunder and so on. The fact that those crimes have been initiated by the defendants on a scale surpassing human imagination and bear the marks of unheard of sadistic cruelty - does not, of course, exclude, but on the contrary increases many times the responsibility of the defendants.

If the defendants had committed the crimes on the territory and in respect of the citizens of any country, according to the Declaration of the Heads of the Governments of USSR, Great Britain and United States of America, published on 2 November 1943, and - in full agreement with the universally accepted principles of criminal law, they would be tried in that country and according to its laws.

This Declaration set forth that "the German officers, soldiers and members of the Nazi Party who were responsible for the above-mentioned cruelties, murder and executions, or who voluntarily took part in those, would be deported to the countries where those gruesome crimes had been committed, in order to be tried and punished according to the law of those liberated countries and free governments, which would be established there."

Nevertheless, the defendants are war criminals "whose offenses have no particu geographical location" (Article 1 of the Agreement of the Four Powers of the 8th August 1945), and, therefore, the IMT, acting in accordance with the Charter, is competent to try their crimes. The Counsel for the defendant Hess took the liberty to affirm that there can be no doubt, that the crimes against peace as they are stated in Article 6, Paragraph 2, of the Charter, do not exist.

H5158-0106

It is not necessary to make any reference here to the international agreements (as I have already mentioned them in my opening statement on the 2nd February 1946), in which the aggressive war was declared an international crime.

They are charged with deeds which the civilised humanity had long ago recognized as criminal.

B. Execution of an Order

Some of the defendants in their deposition before the Tribunal attempted to present themselves as poor dwarfs, blind and obedient executors of another's will - the will of Hitler.

In the search for a legal basis for this attitude, the Defense Counsel JAHRREISS, spoke at length about Hitler's order. In the opinion of Counsel JAHRREISS Hitler's order "was different" from the order of any other leader; that Hitler's order was an act "legally immutable". Therefore, Counsel JAHRREISS asserts that:"Whatever the Charter may mean by the orders which it rejects,in as much as a factor excluding criminal responsibility, is it possible to take the same attitude towards an order of Hitler? Could this order be considered as an "order" in the meaning of the Charter?

The right to interprete law is an irrefutable right of all lawyers, including the Defense Counsels. Nevertheless, it is uncomprehensible what logical or other methods were guiding his assertion that the provisions of the Charter specially elaborated

H5158-0107

for the trial of major war criminals of the fascist Germany, did not indeed aim at the very conditions of the activity of these criminals.

What orders then, issued by whom and in what country, are meant by the Charter of the Tribunal?

It is on the contrary indisputable that: the authors of the Charter were fully aware of the specific conditions existing in Hitlerite Germany, were thoroughly familiar (by means of the material of the Kharkov and other trials) with the attempts of the defendants to hide themselves behind Hitler's orders, and it is for this very reason that they made a special provision to the effect that the execution of an obviously criminal order does not free from criminal responsibility.

c/ Responsibility of countries and individuals.

We think that the very authors of this attempt to hide a large group of ministers, Gauleiters and war commanders behind Hitler's back, became to a certain extent, doubtful of the convincing power of such a defensive manoeuvre seeing that a new line of defense was set up to assist this manoeuvre.

" If the German Reich began an attack in spite of the still-existant non-aggression pact - said the counsel Jahrreis, then Germany committed an international offense and must answer for it according to the principles of international law ... the Reich alone, but not an individual person".

We cannot in the first place, omit to notice that the above point of view is not exactly new: even before the beginning of the official defense at this trial, certain unofficial defenders of war criminals willingly propagated the version to the effect that it was the German government and the German nation, who were to bear responsibility for the criminal aggression and war crimes, and not individual persons.

H5158-0108

When the subject of international law, i.e. a state, violates the principles of international law, this entails certain consequences of an international character, but in no case does it entail the criminal responsibility of the state.

Any action on the part of the state in the sphere of international relations, is committed by physical persons, by officials and by the agents of that state.

In carrying out such acts, these individuals may be guilty of the most varied offer in violation of either the common or the criminal law.

In the latter case, i.e. when their individual criminal responsibility is involved, they bear this responsibility in appropriate cases, in conformity with the laws and before the courts of their own country, as well as - if such is the case - in conformity with the laws and before the courts of a foreign state.

In the present case, not only did the Hitlerite State violate principles of international law, resulting in measures taken against the states, but also some individuals, in committing those acts, have personally committed criminal offenses, for which they bear the criminal responsibility in accordance with the Charter before the International Military Tribunal.

H5158-0109

g/ Concerning the concept of conspiracy.

The counsels of defense are unanimous in trying, by different ways and versions, to dispute the charges of criminal conspiracy made against the defendants. Extracting from various sources one-sided, tendentiously selected definitions of the conspiracy, the counsels have tried to prove that Goering, Hess, Ribbentrop and others cannot be considered as accomplices of the conspiracy.

I should like to quote here several arguments proving the groundlessness of the statements of the defense.

The conspiracy implies the existence of a criminal society created and acting to achieve common criminal purposes. Such a society doubtlessly existed. It stands to reason that in this case the threads and levers uniting the members of this conspiratory criminal society are very complicated, as the conspirators had seized the government of a country.

In any criminal society and particularly in a numerous society with many ramifications, separate accomplices commit criminal acts comprised by the general plan of the conspiracy, but they can practically remain unknown to a number of the members of this society. Nevertheless as these crimes result from a single criminal plan, common to the whole society, the accomplices who have not personally committed these separate criminal actions and were not practically informed of them, bear the responsibility for them.

In this special case the existence of the conspiracy is not precluded by the circumstance, that, for instance, Schirach could be unaware of some of the measures of the slave trader Sauckel or the "pogrom maker" Streicher,

H5158-0110

Neither is the existence of the conspiracy precluded by the differences of opinion among individual accomplices of the conspiracy concerning particular questions /the intrigues of Goering against Bormann etc./

Such dissensions may take place in any band of robbers of thieves, but the band does not cease to exist on account of this.

Nearly in every society there exists a certain hierarchy among its members. Very often the head of a criminal band usurps the unlimited power over the other members of the band, even the very right of life and death.

However it seems that it never occurred to any lawyer in the world to deny the existence of a criminal society only because its accomplices were not alike and one of them had power over the others.

It is at any rate strange to deny the existence of the conspiracy in the present case on account of the indisputable fact that great personal power was concentrated in the hands of the leader - Hitler. In the same way the existence of the conspiracy does not preclude but on the contrary it implies a definite distribution of the parts played by the accomplices of the criminal group, when achieving the common aim (one coordinates the entire criminal activity, the other is in charge of the questions of ideological training, the third one prepares the army, the fourth organises the work of the war industry, the fifth carries on the diplomatic preparations, etc.)
Therefore, the Fascist conspiracy does not cease being a conspiracy, but is a conspiracy which presents special danger, because the whole machinery of the government and enormous resources of men and material are in the hands of the conspirators.

H5158-0111

In the hands of the international criminals, in the hands of Goering, Keitel and other defendants the enormous forces of people become an instrument of heavy crimes.

This is the reason why these special traits that distinguish the conspirators of Fascist Germany from any other band lend it a special dangerous character without changing the legal character of the conspiracy.

Thus I complete the analysis of the legal arguments of the defense, which were examined in detail by my honorable colleagues.
As you have seen, your Honors, the arguments of the defense were found to be inconsistent and incapable of refuting the charges.

Now I shall consider the question concerning the guilt of individual defendants.

H5158-0112

INDIVIDUAL RESPONSIBILITY

GOERING

In Hitlerite Germany the defendant GOERING was next in importance to Hitler himself, he was his first successor. He took upon himself extensive powers, and seized the most responsible posts.

He was the President of the Cabinet of Ministers for the Defense of the Reich, he was the Fuehrer for the direction of German economy,- the Plenipontentiary General for the Four Year Plan and the Commander-in-Chief of the Airforce. The main point is that this extensive field was utilized by him and all his forces were dedictated to the organization and the realization of the crimes which are set out in the Indictment.

As we already know, the essential element of this conspiracy consisted in the submission of Europe prior to world supremacy of the Hitlerite Germany, regardless of any methods, however inhuman and criminal.

S-
39
SA-
18
To realize this aim, a way had to be cleared, as Hitler declared already in February 1933 at a conference with the prominent German industrialists, and the Parliament system must be destroyed.

GOERING took upon himself this task. He started to exterminate energetically the political opponents of fascism, and for this purpose carried out mass arrests of the members of political parties unfavourable to the nazism.

He organized concentration camps, where he interned without trial all people who disagreed with fascism. He created gestapo, which from the day of its birth established a bloody regime of terror. He demanded of all the officials in the camps and the Gestapo to hesitate before nothing - and savage punishments of the people, mutiliations and massacres, became - under his direction - the elementary working methods.

PS-
2324
SA-
233
It is he, GOERING, who declared: "Each bullet fired from the pistol of a policeman, is my bullet, and if anynne calls it murder, this means that I have committed murder" (from GOERING's book " .....Rebirth of a Nation....," published by him in 1934).

H5158-0113

He thus cleared the way for fascism, and paved the way for the unhampered progress and the realization of the fascist conspiracy.

GOERING was tireless in his efforts to annihilate everybody and everything which hampered the consolidation of this conspiracy.
PS-3442 And Hitler praised him for this. For example, on 13.VII.1934 he
USA-576 declared to the Reichstag that GOERING:
"... with his iron fist smashed the attack against the national-socialist state before it could take force".

All this GOERING's terroristic activity was calculated to clear the way for the realization of the fundamental idea of the fascist conspiracy, i.e. the conquest of Europe, and to achieve world supremacy of the Hitlerite Germany.

The legal proceedings have proved GOERING's guilt in the planning and the preparation of aggressive wars by the Hitlerite Germany.

Numerous documents have been presented to the Tribunal, testifying to the active part played by GOERING in the initiation of aggressive wars. I shall remind you of GOERING's declaration in 1935 at a conference
PS-3441 of the Luftwaffe officers. At that conference, he declared that it is his
USA-437 intention "to create the Luftwaffe which shall strike the enemy, as an avenging blow. Even before the attack, the enemy must feel that his cause is lost", and this intention, as we know, he realized, preparing for war from day to day.

P-140 At the conference of the leaders of German air industry, on 8 July 1938,
USA-160 GOERING hints that war is near, and that, if Germany come victorious out of it, she will be the most powerful state in the world, dominating the world market and she will become rich. To attain this objective "We must be prepared to take risks". Such was the slogan which Goering threw an that occasion.

On 14.X.1938, not long before he presented demands to Czechoslovakia
PS-1301 GOERING declares that he has began carrying out a vast program
USA-123 in comaprison with which previous undertakings were insignificant.
Trans.
Evn.Sess. "In the shortest possible time, the Luftwaffe must be increased fivefold;
23.XI.45, the Navy must be rearmed at a much greater speed, and the Army must
page 18 be rearmed much more extensively ... especially the heavy artillery and the heavy tanks. At the same time, the production of war materials and explosives must be itensified.

H5158-0114

PS-447
USA-135
1185-PS

The active participation of Goering in the preparation for aggression against the USSR has been established beyond all doubt.

USA-141

The Tribunal will find proof of Goering's active participation as early as November 1940 in the development of plan for the attack against the USSR, in the record of the conference of 29 April 1941 on the organization of economic staff "Oldenbourg", in the record of the conference which took place on 23 February 1941 at the house of General Thomas, as well as in the testimony of Goering himself during the session of 21 March 1946.

It was Goering who, together with Rosenberg, Keitel and Bormann, at the conference with Hitler on 16.7.1941, gave concrete form to the plans for the dismemberment of the Soviet Union, the enslavement of its peoples and the despoliation of its riches.

L-221
USA-317

The plan to "level Leningrad to the ground and hand it over to the Finns" was conceived with his participation. It was he, who recommended that hangman of Koch, for the post of Reichskommissar for the Ukraine, as a "personality with great initiative and good training".

Therefore, it can be considered that the guilt of Goering in the planning and the preparation of aggressive wars by the Hitlerite Germany, has been fully established, and for this he must bear responsibility.

My colleagues have already drawn the attention of the Tribunal to the criminal treatment of the prisoners-of-war

I shall just remind the Tribunal the testimony given by the witness Moris Lamp during the evening session of 25.1.1946, concerning the executions of Soviet, British, French and other officers in the Mauthausen camp, the extermination camps of Auschwitz and Majdanek, the Notes of People's Commissar for Foreign Affaires of the USSR, Molotov, of 24.XI 1941 and 27.VI 1942, presented to the Court, concerning the monstrous treatment inflicted by the German military authorities on the Soviet war-prisoners, for which Goering is personally greatly responsible. I shall also remind about the

USSR-341

depositions of the witness Halder on 31.X 1945 which described the conference at Hitler's office on the non-application of the

PS-884
USA-351
PS-1191
Trans.
morn.sess.
13.2.46
pp.30-32

Haague convention with respect to the treatment of Russian war-prisoners and the order issued from Hitler's headquarters on 12.5.1941 concerning the treatment of captured Russian commanding officers and political workers.

H5158-0115

All these facts of crimes, established beyond doubt before the Court, have no need for further clarification, as the Defense was unable to advance in their statements any arguments refuting them.

USSR-89

In the "12 Commandements for the behaviour of the Germans in the East" of 1 June 1941, the sixth commandement reads as follows:

"You must clearly understand that for a whole century you are the representatives of great Germany and the standard-bearers of national socialism in new Europe. You must, therefore, with full conscience of your worth, carry out the most ruthless and the most cruel measures which shall be requested of you by the State".

The initiation of the systematic persecution and extermination of the Jewish population, is connected with the name of GOERING.

It was he who signed the misanthropic Nurnberg decrees, the decrees for the expropriation of Jewish property for the imposing on the Jews of a penalty of 1 billion and other decrees; such activity was in full keeping with the whole of GOERING's cannibalistic conception of the world.

PS-3458
USA-588
Trans.
even.s.
8.1.46
page 21

At the trial GOERING denied that he was an adherent of the racial theory, whilst in 1935, he made a speech before the Reichstag in the defense of the Nurnberg racial provocators. On that occasion, he loudly declared:

"... God has created races, He did not will equality and for this reason we reject energetically every attempt to pervert the idea of the purity of race ..."

Numerous documents presented to the Court by the Prosecution, expose the criminal actions of GOERING in respect to other nations.

EC-410
USA-298

GOERING's order issued on 19 October 1939 demostrates clearly the attitude of the defendant towards the Polish people, the Polish state.

In an order relating to the economic policy in the East, issued on 23 May 1941, just before the attack on the USSR, GOERING writes as follows on the attitude towards the Russians:

EC-126
USA-316

USSR-93
USSR-36
USSR-60

"Germany is not interested in maintaining the productivity in this territory. She is supplying food only to the troops stationed there ... The population in those regions, and especially the urban population, is doomed to starvation. It will be necessary to deport this population to Siberia".

H5158-0116

USSR-93
USSR-36
USSR-60

In his capacity of Plenipotentiary for the Four Year Plan, GOERING is responsible for the plunder and the spoliation of state property and personal property of the citizens, carried out by the nazis on the occupied territories of the USSR, in Czechoslovakia, Poland, Jugoslavia, and other countries. It was GOERING indeed who headed the activity of the nazi conspirators directed towards the economic plunder of the occupied territories of the USSR.

1157-PS
USA-141

A conference in connection with the elaboration of economic measures according to case Barbarossa took place on 29 April 1941, prior to the treacherous attack against the USSR. As a result of this conference, there was created the economic staff of special purpose "Oldenbourg" which was subordinated to GOERING. The crdation of special economic inspectorates and units in the largest centrers of the USSR was planned; they were to handle important tasks for the utilization and the plunder of Soviet industry and agriculture.

USSR-89

The file of the district agricultural fuehrer contained instructions to agricultural fuehrers, who were given full freedom in the choice of methods for the fulfillment of their criminal aims. The demand for ruthless treatment of the Soviet peoples, and, in the first place, of the Russians, the Ukrainians and the Byelorussians, was put forward.

USSR-2
USSR-9

The report of the USSR Extraordinary State Commission on the crimes committed by the Hitlerites in Kiev, in the region of Stalino and other places, states that these criminal plans of the defendant GOERING and his accomplices were in the greater part realized.

To secure the necessary manpower for the German war industry and agriculture, and at the same time for the purpose of physical extermination and the economic weakening of the enslaved peoples, the defendant GOERING and his accomplices in the nazi conspiracy, utilized the labour of foreign workers.

L-79
USA-27

The utilization of forced labour had been planned by the nazis even before the war. It is sufficient to remind you of the conference at Hitler's office, which took place on 23 May 1939, and in which the defendant GOERING also took part.

H5158-0117

USSR-10
USSR-376
USSR-379

t the conference of 7 November 1941 and in his order issued on 10 January 1942, Goering demanded of all the departments subordinated to him, the securing of necessary manpower for the German industry, at the expense of the population of the occupied Soviet territories.

On 6.8.42, Goering had a conference with the Reichskommissars for the occupied territories and the representatives of military

USSR-170

command.

Addressing himself to the participants in this conference, Goering said:

" You are being sent there not to work for the well-being of the peoples entrusted to you, but for the purpose of drawing out all that is available...

You must be like hounds, where there is still something left.

I intend to plunder and to do it efficiently".

These intentions were carried out. Plundered Goering, plundered the Reichsministers and Reichskommissars for the occupied territores, plundered the representatives of military command, beginning with generals and ending with ordinary soldiers.

Such was the activity of the defendant Goering.

There is not a single measure executed by the fascist party, not a single step taken by the Hitlerite Government, in which Goering did not participate.

He participated actively in all the crimes of the fascist gang and for all his deeds he must be duly punished.

H E S S

The defendant Rudolf HESS occupied a leading position among the Nazi conspirators from the very beginning of the Nazi empire.

Transc. even. sess. 7-2-46. p. 37-38
312-PS
USA-952

It was HESS who had been the leader of the Fascist organization of the University of Munich. It was he who had participated in the Munich Putsch. It was he who together with HITLER had worked at the bible of Fascism - "Mein Kampf", carrying out the duties of Hitler's private secretary. It was he who had been president of the Central Political Commission of the Fascist Party, and it was he who had carried into effect the bestial policy of the Fascist cutthroats as "Deputy-Fuehrer" after the seizure of the power.

PS-3196, transcr. evening sess. 7-2-46 p. 38-39

It was indeed HESS to whom, according to Hitler's decree of 21 April 1933, the full right was given to take decisions on behalf of HITLER on all questions concerning the leadership of the party."

Transcr. even. sess. 7-2-46 p. 42
37-38
1395-PS
GB-252
1389-PS
GB-249,
2018-PS
GB-250

After this HESS continued to appropriate one new post after the other in HITLER's government. Since 1 December 1933 he was Reichsminister without portfolio "to secure close collaboration of the party and shock troops with the civil authorities; on 4 February 1938 he was appointed member of the secret council; on 30 August 1939 - member of the Cabinet for the defense of the Reich, and on 1 September 1939 HITLER declared HESS as successor of GOERING. HESS was also nominated Obergruppenfuehrer SS and SA.

D-138
USA-405
D-139
USA-404

By the Decree of 27 July 1934 HITLER obliged all leaders of all the departments and ministries of Germany to present projects of laws to HESS for preliminary sanction.

PS-3180 transcr. even. sess. 7-2-46 p. 49-50

HESS had to select and allocate the leading Staff of the Fascist cadres. This is testified by Hitler's decree of 24 September 1935 and by other documents submitted to the Tribunal by the Prosecution.

H5158-0119

We must take special notice of the active part played by HESS in planning and carrying out aggressive wars. All the aggressive actions of Hitler's Germany had been planned and prepared with the direct assistance of HESS and the party machinery of the Nazi was subjected to him.

M-102
GB-260

Already on 12th October 1936 in his speeches made in Bavaria, HESS appealed to the Germans "to use a little less fat, a little less pork, fewer eggs ... e know - said HESS, that the foreign currency that is saved in this way, goes for armament. and the slogan of the day is "Cannons instead of butter".

M-105
GB-261
transcr.
ev.sess.
7/II 46
page 56

HESS spoke about this on the eve of his flight to England on 1st May 1941, speaking at the Messerschmitt factory when he made an appeal for the continuation of the aggressive war.

Transcr.
ev.sess.
7/II 46
page 65

Together with Hitler, Goering and other leaders of the Nazi conspiracy, HESS signed the decrees concerning the annexation of other territories seized by the Germans.

PS-3179
USA-200
Transcr.
ev.sess.
7/II 46
page 53-54

The misanthropical Nurnberg laws, for the publishing of which the defendant is also responsible, contain a special provision authorizing FRICK and HESS to issue the necessary decrees to carry into effect these laws. HESS signed the law on the "protection of race and honour", the decree of 14 September 1935 depriving the Jews of their right to vote, and of their right to be employed at public offices, and also the decree of 20 May 1938 extending the Nurnberg laws to Austria.

The question of the part played by HESS in organizing a network for spies and terroristic groups abroad, in creating SD (Security Service) and recruitment of SS units has been sufficiently elucidated at this trial.

Transcr.
ev.sess.
7/II 46
p.56-61

The very position occupied by HESS in the Fascist Party and Hitler's Government shows the active leading participation of the defendant in the preparation and realization of the common criminal plan of the Fascist conspirators, consequently an enormous share of his guilt and responsibility for the crimes against peace and for the war crimes and the crimes against humanity.

M-102
GB-254

Your Honours, in order to evaluate more correctly the importance of the criminal activity of the defendant HESS as one of the notorious leaders of the Nazi Party and Hitler's Government, I shall remind you of the article in the newspaper "National Zeitung" of 24 April 1941 dedicated to HESS.

"Many years ago, it was before the beginning of the war - Rudolf HESS was called "the conscience of the Party". If we inquire why this honourable name was given to Fuehrer's deputy ... it is not difficult to answer this question: There is'nt an event in our public life that is not connected with the name of the deputy Fuehrer. He is so versatile and singular in his work and in his field of activity, that they cannot be described in a few words ... many measures carried out by the Government, especially in the field of war economy and in the party were realized entirely by the deputy Fuehrer".

Transcr. ev.sess. 22 March 1946.

HESS refused to give explanations to the Tribunal. His Counsel Saidl declared with false pathos that HESS considered the present Tribunal incompetent to judge the German war criminals ... and immediately afterwards without a pause he presented proofs in defense of HESS.

Transcr. of 30.XI 1945 p.57-58

HESS even tried to declare himself insane to avoid the merited punishment. But when HESS convinced himself that such a manoeuvre would not help, he was obliged to tell the Tribunal that he had simulated loss of memory, that it had been a trick of his and he had to admit that he bore full responsibility for all that he had done an signed together with the others.

Thus this clumsy attempt of HESS to avoid the responsibility was full exposed at the trial and HESS should suffer punishment to full extent for his participation in the common plan or conspiracy for committing crimes against peace, war crimes and the most heavy crimes against the world and humanity, committed by him together with the other defendan

H5158-0120

H5158-0121

B O R M A N N

The name of Martin BORMANN is closely connected with the formation of HITLER's regime. He was one of those who committed the most outrageous crimes, aiming at the annihilation of hundreds of thousands of people.

Together with the defendant ROSENBERG, BORMANN carried on a propaganda of racial theories and persecutions of Jews with cruel perseverance.

Numerous instructions were issued by him aiming at the descrimination of Jews in HITLER's Germany, which afterward had such a fatal effect and / /resulted in the annihilation of Jews. By this activity of his, he won the confidence of HITLER, he was "authorized to represent the party in the field of government activity" (regulations and orders of the party chancellory v. II p. 228) and he did represent it.

Thus, as chief of the party chancellory, he directly participated in the / /annihilation of the Jews, Gypsies, Russians, Ukrainians, Poles and Chechoslovaks.

NSDAP under his leadership becomes a police organization, in close connection with the German secret police and SS.

BORMANN not only knew of all the aggressive plans of HITLER's Government, but also took an active part in realizing them.

He made full use of the entire party machinery of NSDAP to realize the aggressive plans of Hitler's Government, and appointed the party Gauleiters as Plenipotentiaries for the Reich defense in the regions of their activity.

The NSDAP party machinery and BORMANN personally, took an active part in all measures of the German military and civil authorities for the inhuman exploitation of war prisoners.

This is proved by the numerous instructions and directions issued by BORMANN.

The materials of the Prosecution and the legal proceedings have now established the extent of mass annihilation caused by the bestial ill-treatment of the prisoners-of-war.

The party machinery and the defendant Bormann personally, took a direct part in the measures of Hitler's government connected with the deportation of the population of the occupied territories for slave labor.

With Bormann's approval the secret deportation of Ukrainian girls to Germany was carried out, for forced Germanization.

By Hitler's orier of 18th October 1944, Bormann and Himmler were entrusted with the leadership of the "Volkssturm" consisting of all men from 16-60
PS-3018 years of age, capable of wearing weapons.

On the eve of the collapse of Hitler's Germany, Bormann headed the underground organization "Wehrwolf" for divertionist and subversive activity behind allied lines.

USA-690 Bormann took a direct part in plundering historical treasures and treasure
1690-PS of culture and art in the occupied territories.

In 1943 he made a suggestion to intensify the economic plunder in the
USA-692 occupied territories.
061-PS

Such are the crimes of the defendant Bormann, Hitler's closest collaborator, sharing the full responsibility for the numerous crimes of Hitler's government and of the Nazi party.

H5158-0122

RIBBENTROP

Joachim von RIBBENTROP was not only one of the principal instigators and leaders of the foreign policy of Hitlerite Germany, but he was also one of the most active participants in the criminal conspiracy.

Having ci/offially entered the Nazi Party in 1932, the defendant, however, contributed to the seizure of power by the Nazis, before this actually occurred, and he shortly became the official adviser of the Party, inasmuch as he was the "collaborator of the Fuehrer on matters of foreign policy".

2829-PS
USA - 5

RIBBENTROP's promotion is indissolubly connected with the development of the Nazi conspirators' activity which was directed against the interests of peace.

Session of 2.4.46, transcript page 19 (evening)

In his testimony, RIBBENTROP declared: "He (Hitler) knew that I was his loyal collaborator". That is why on the 4 February 1938, Hitler made the convinced and faithful nazi-RIBBENTROP, the official leader of foreign policy, a post which was one of the most important levers for the realization of the entire Nazi conspiracy.

However, RIBBENTROP did not limit his activities to the scope of foreign policy. As member of the Hitlerite Government, the Reich Defense Council and the Secret Council, he participated in the solution of all the innumerable problems connected with the preparation of aggressive wars. That is why he, RIBBENTROP, although he was Minister for Foreign Affairs, took part in the solution and realization of problems, but faintly relevant to foreign policy, such as the utilization of manpower in wartime, the organization of the concentration camps, and so forth. In this connection, it should be noted that RIBBENTROP signed a special, large-scale agreement with HIMMLER on the organization of a common intelligence service.

Transcript ev. session 2.4.46, p.p. 6-8 USSR-120

RIBBENTROP became Reich Foreign Minister precisely at the outset of the realization of the plans of aggression, which visualised the submission of Europe to Germany. This coincidence is no accident. RIBBENTROP was considered, not without reason, as the most adequate person for the realization of this criminal conspiracy, he was preferred even to such/an expert in matters of foreign provocation as ROSENBERG, upon which the latter made an official complaint, not without some reason. And Hitler was not mistaken in his choice, for RIBBENTROP fully justified his confidence.

As early as 12 February 1938, a week after his nomination, RIBBENTROP - together with Hitler and the defendant PAPEN, who for a long time prior to this date had been directing the diversionist activity of the Nazi agency in Austria, participated in a conference at the Obersalzberg.

H5158-0123

H5158-0124

At this meeting he addressed an ultimatum punctuated by threats, to the Austrian Chancellor Schussnig and the latter's Foreign Minister, Schmidt, demanding their agreement to sacrificing the independence of Austria, and this object was attained.

As Minister, Ribbentrop was present at the conference of 28 May 1938, during which a decision was made for the execution of plan "Gruen" - the plan for aggression against Czechoslovakia.

In conformity to the Nazi tactics of weakening their future victim by striking at the interior, Ribbentrop constantly kept a close contact with and gave material assistance first to the German Sudeten party, and then to the Slovak nationalists, with the object of attaining an internal split and fratricidal war in Czechoslovakia.

Having seized Czechoslovakia, the Nazi conspirators, and Ribbentrop amongst them, began to make preparations for and to realize the next aggressive act, which had already been outlined by them in their criminal plan against peace, - the attack on Poland.

Being forced - because of the recently realized annexion of Austria and Czechoslovakia, to conceal temporarily the further intentions of Germany, Ribbentrop, personally and through the agency of his diplomats, endeavoured to allay the vigilance of the European states, by making hypocritical declarations to the effect that Germany's forei no further territorial demands.

Doc. 2530-PS GB-36. Transcript Morn.session 6.12.45 Pages 6-7

On 26 January 1939, in Warsaw, the Foreign Minister of fascist Germany, Ribbentrop, declared: "that the consolidation of friendly relations between Germany and Poland on the basis of existing agreements, constituted the most important factor of Germany's foreign policy".

A very short time elapsed, and Poland experienced the value of these assurances of Ribbentrop.

I will not dwell here on the perfidious part played by the defendant Ribbentrop in the German aggression against Denmark, Norway, Belgium, Holland and Luxembourg, for my colleagues have already dealt with this matter convincingly enaugh ...

The defendant Ribbentrop personally participated in the commission of aggression against Jugoslavia and Greece.

Reverting to his favourite method of giving false guarantees in order to conceal the future aggression, defendant Ribbentrop assured Jugoslavia on 20 April 1938, that after the Anschluss Germany's frontiers with Jugoslavia were considered as final and unalterable.

H5158-0125

2719-PS
GB 58 (transc.)
7.12.45
afternoon
session
p.6

it that time manifold preparations for aggression were carried out with the assistance of the defendant RIBBENTROP.

On 12 and 13 of August 1939 at the conference of Hitler and RIBBENTROP with CIANO at Salzburg an agreement was reached concerning the liquidation of the neutrals one after the other.

With the direct and immediate assistance of the defendant RIBBENTROP the Nazi conspirators planned, prepared and realized the treacherous attack on the USSR on 22nd of June 1941

USA-135, PS-447
USA-31, PS-446
USSR-263,
USSR-149,
USSR-156

The defendant RIBBENTROP himself admitted here, in the Court room that at the end of August and the beginning of September 1940, i.e. at the time when the elaboration of the plan of Barbarossa was being carried out (as it is evident from the depositions of General Varlimont, General Mueller and Fieldmarshal Paulus) the defendant KEITEL was discussing with him the question of attacking USSR.

The activity of the defendant and the ministry directed by him, played a primary part in the organization of war against the USSR with the participation of Finland, Hungary, Romania and Bulgaria.

Already after the beginning of the aggression of Germany against the Soviet Union the defendant RIBBENTROP continued to apply his efforts to attract new accomplices to Germany's side. Thus in a telegram to the German Ambassador in Tokio of 10th July 1941 he said: I beg you to try all means at your disposal to influence Matzuoka in order to make Japan begin war with Russia as soon as possible. The sooner - the better. The final aim should be that Japan and we shake hands on the Sibirian railway before winter comes on."

2896-PS
USA-155

As it has been established at the trial RIBBENTROP together with the other defendants was preparing the policy of extermination and plunder, planned by the Hitlerites and then carried it out in the temporarily occupied territories of Soviet Union. The defendant ROSENBERG who was elaborating the plans of exploitatic of the occupied territories in Eastern Europe, held a conference on this question with OKW, the ministry of economics, ministry of interior affairs,

H5158-0126

1039-PS
US-146
Transcript
10.12.45
morn.sess.
p.38

with the ministry of foreign affairs. In his "Report about preparatory work on the Eastern-European question" he wrote: "As a result of the negotiations with the Ministry of Foreign Affairs, the latter appointed General Consul Mr.Brotigham as their representative to Rosenberg.

Thus it is indisputable that Ribbentrop not only knew about the preparation for the military attack on USSR but that he together with the other conspirators had planned beforehand the colonization of the territory of the Soviet Union, the enslavement and extermination of the Soviet citizens.

Transcript
2.4.46
afternoon
sess.
p.13.

The defendant was compelled to admit that he had known the notes of the Public Commissar of Foreign Affairs W.M. Molotov concerning the atrocities of the Hitlerites in the temporarily occupied territories of the Soviet Union. He as well as the other conspirators had known also the other declarations of the Chiefs of the Allied Governments concerning the responsibility imposed upon the Nazi Government for committing the monstrous atrocities in the occupied countries.

Tr.27.3.46
morn.sess.
pp.53-54

Ribbentrop, as the witness for the defense the former Secretary of State at the Ministry of Foreign Affairs, Steingracht confirmed, had been one of the initiators and was intended to be nominated honorary member of the International Anti-Jewish Congress which the Germans supposed to convene in July 1944 in Cracow.

Tr. 2.4.46
morn.sess.
p.6.
(3688-PS
RF-502)

Ribbentrop himself admitted at the Trial that he had negotiated with the Governments of European countries about the banishment of the Jews.

According to the record of Ribbentrop's conversation with Horty. "The Minister of Foreign Affairs declared to Horty that the Jews should be either exterminated of sent to concentration camps. There can be no other decision".

This fact sufficiently confirms the fact that Ribbentrop was aware of the existence of the concentration camps though he tried hard to prove the reverse here.

Ribbentrop lent his support to other Nazi leaders and above all to the defendant Sauckel in deporting the inhabitants of the occupied countries for forced labor in Germany.

Besides, the defendant Ribbentrop carrying out the common plan of conspiracy including the destruction of the national culture of the peoples of the occupied territories, took a most active part in plundering treasures of culture, which are common property of all nations.

H5158-0127

In order to carry out this task and on Ribbentrop's instructions a "Battalion of Special Service" had been created at the Ministry of Foreign Affairs which during the whole war following the advance units requisitioned ar deported to Germany all kinds of treasures of culture from the occupied territories in the East according to the directives of Ribbentrop.

Thus the defendant RIBBENTROP had taken part in seizure of power by the Nazi, playing a leading role in planning, preparing and waging aggressive plundering wars; together with the other conspirators participated, according to the Fascist plans, in the leadership when committing most heavy crimes against the nations, whose territories had been temporarily occupied by the Hitlerite invaders.

H5158-0128

The Militry Group

Several of the defendants in the dock at this major War Criminals Trial may be said to form a military group. If we do not include GOERING who represents a peculiar figure, uniting in one person, - politician, administrator, and soldier, there remains KEITEL, JODL, DOENITZ and RAEDER. In the course of these proceedings not only have all the counts of the Indictment against them been sustained but as a result even more incriminating evidence has been brought to light.

The documentary evidence, the testimony given by the witnesses, including those applied for by the Defense, could not but tip the scales in favor of the Prosecution.

The Counsel for the defense tried to convince the Tribunal that their clients had become involved in this sinister tragedy by a whim of fate in spite of themselves.

The defendants themselves - KEITEL, JODL, DOENITZ and RAEDER here in court try to appear in the role of noble simpletons. We must do the defense justice: it did its best to aid them in this attempt. We have heard a great deal about a soldier's honor, military discipline, fidelity to duty and oath of allegiance, - all making obligatory, therefore, the fulfilment of HITLER's orders, including those which aroused their doubts and direct protest. Such a view of their position completely distorts the actual state of affairs. Before passing to the question of the guilt of KEITEL, JODL, DOENITZ and RAEDER I deem it necessary to put the following 4 questions:

1) Did these defendants know that HItlerite Germany in violation of its international obligations had prepared a series of aggressive and predatory wars?
2) Did they take an active part in planning, preparing, unleashing and waging of these wars?
3) Are they guilty of cynically trampling down the laws and customs of warfare?

H5158-0129

4)
Are they responsible for the atrocities and extermination of the peaceful population, for the sinking of passenger and hospital ships, for the towns and villages destroyed by the Hitlerite Reich military machine?

It seems to me that after this investigation which has so carefully gone into all the details of this case, unless one remains blind to the facts it is impossible to give other than an affirmative answer to these questions.

The evidence submitted to the Tribunal has fully proved that the military group of criminals is guilty of the heaviest crimes and that they have actively participated in the planning and execution of the common criminal conspiracy.

The very fact that these crimes were committed by men in uniform not only does not serve to mitigate their responsibility but on the contrary only heightens it.

How can they try to acquit themselves by referring to "a soldier"s duty", "an officer's honor", and the "obligation of fulfilling orders". Since when has "soldier's duty" and "officer's honor" become compatible with shooting without trial and branding of prisoners, extermination of women, children and aged people.

The only true and correct explanation of the amazing fact that these generals and admirals were committing what in substance were capital crimes, lies in the fact that they were generals and admirals of Hitler's making. These are men of a special metal. They are fascists in uniform, bound body and soul to the Nazi regime.

This is the only reason why Hitler gathered these men about him and collaborated with them for such a long period of time. This is the only way to explain why they collaborated with Hitler in committing such crimes imprecedented in history. They fitted and understood one another to perfection.

H5158-0130

K E I T E L

It is only natural that in speaking of the military group I begin with defendant Keitel. Keitel held the leading post in Hitler's military machine from the very first years of its conception.

Speech Dr. Nelte p.58

Keitel's counsel admits that: - the decree (of February 4th 1938) gave Keitel the wonder title for his position - Chief of the OKW". Further he goes on to say:

"... the factual significance of Keitel's activities was immense. It was a monstruous, extremely ungrateful job and its miserly remuneration was a brilliant position in the immediate proximity to the head of the state".

Speech Dr. Nelte p.100

In the light of subsequent events it may be taken for granted that the primary stage of all the future wars of aggression included everything connected with the secret rearmament of Germany after the Versailles treaty.

It is difficult to minimize the significance of all that was done at the time by Colonel Keitel in the Committee of Experts which painstakingly and consecutively sought and found means of circumventing or violating the treaty.

It was none other than Colonel Keitel in particular who gave instructions to the effect that in Geneva it was possible to say what one pleased but care must be taken not to leave anything behind on paper.

This cynical statement fully tallies with the role played by Keitel in the subsequent preparation and execution of aggressive wars.

C-102 USA-74

During the negotiations between Hitler and Schushnig the living reminder of Germany's preparadeness to resort to arms was the person of Keitel.

Keitel issued orders for troops to cross over into Czechoslovakia at the time when president Hacha was so treacherously called to Berlin: "for continuing negotiations".

388-PS USA 26 Jodl's notes to "Fall Green"

It was the OKW and no other organization which was fully prepared through/ABWEHR'S department to provoke an incident with Czechoslovakia in the order to justify the invasion by the German hordes, ready to fall upon Czechoslovakia.

In his strictly confidential memorandum Keitel demanded that Hess and Himmler advise the OKW in advance of all measures taken by party organizations or police which were not included in the "Fall Green".

The declarations alleging that after the seizure of Czechoslovakia Germany had no more territorial aspirations in Europe were downright lies. This was but a link in the chain of aggressive wars.

H5158-0131

I wish to emphasize the leading role of the OKW in the preparation and carrying out of aggression. The directive regarding the waging of war and invasion of Poland is known to us as Keitel's and Hitler's directive of the 10 May 1939. It was forwarded to the command of the Air Forces, Navy and Land Forces. How is it possible after this to maintain that the OKW was not the driving power behind the armed forces of the fascist Reich?

If we once more peruse the documents pertaining to German aggression against Norway, Denmark, Belgium, Holland, Luxembourg, Yugoslavia and Greece we again come across the name of Keitel. He appears as a participant of the most important events either as author of secret orders addressed to Raeder, Goering and the General Staff.

443-PS
GB-118

We find the initials of Keitel and Jodl entered in their own hand on the secret directive signed by Hitler regarding the "Operation Mariza".

Much has been said here of the "Plan Barbarossa" and its authors. At present it is important to stress that this document took shape in the depths of the OKW at its own initiative and that the planned methods of a treacherous attack on the USSR were also the work of the OKW.

The significance of a military specialists visa on a document is clea to everybody.

Some of the defendants attempted to portray the attack on the USSR as preventive war. This contention is to such a degree inconvincing and contradictory to the irrefutable evidence presented in court (German documents) that I see no need for occupying the Tribunal's time.

P.23
Final
speech
Counsel
Dr.Nelte

Keitel's defense counsel stated that the defense of this defendant is based on the point of view that Keitel - "is fighting not for his head but to save his face".

I wish to aid the Tribunal in seeing the true face of Keitel. For this I shall have to remind you of a number of Keitel's directives which may well lay claim to being among the foremost of all the infamous documents pointing to the barbarity of the German military cl its baseness and extreme scorn for all conceptions of rules and customs of warfare.

Let us consider the documents dealing with the shooting of Political Officers.Keitel, the soldier, as he likes to call himself, ignoring his oath, shamelessly lied to the representatives of the American Prosecution at his preliminary investigation by avowing that to begin with this order was in the nature of a counter reprisal and that the political officers were separated from the other prisoners of war at the request of the prisoners themselves. At the trial he was unmasked. Exhibit No. RF(v)-351, 884-PS proved that this directive had been issued before

H5158-0132

the war had broken out. We also submitted a document under Exhibit No.

USSR-62 (the text of a letter of German Prisoners of War). This document makes it clear that even before the attack on the USSR the army in the field had been instructed to absolutely exterminate Soviet women in military service as well as political officers.

And what can be said of the following statement/in its unlimited dreadful cynicism:

PF-271
R-98
PS-389

"Human life in those countries concerned has absolutely of no account. ...a terrifying influence can be achieved only through unheard of brutality."

D-50
USA-554

And what can be said of the directive of 13 May 1945 introducing court martial in the Barbarossa region? And of the order of 16 September 1941 calling for the execution of 80-100 communists for each German killed?

L-90
USA-503

What could KEITEL say about the document known as "Nacht and Nebel?

USSR-52

These are sanguinary documents. No one can compute how many thousands of prisoners of war - soldiers and officers of the Red Army had been killed and tortured in the camps of fascist Germany. You remember how on 21 January 1946 at the evening session witness LAMP testified that for the amusement of HIMMLER the shooting of 50 Soviet officers was organized in the Mauthausen camp. You remember witness BLACHA testifying that in the spring of 1944, 94 Soviet senior military officers were tortured and then killed for refusing to give military information.

transcipt 11 January 1946 afternoon - pp 22-23

I wish to mention the testimony of SS man Paul WALDMAN regarding the slaughter of 840 Russian prisoners of war. You remember the testimony of witness KIVELSH regarding the endless chain of torture and suffering to which Russians, taken prisoner by the German, where subjected to:

transcript 2 February 1946 morning p 22-32 afternoon p 3-4

It is impossible to pass by, KEITEL's directive calling for the branding of Soviet prisoners of war.

One can not forget the KEITEL directive of the 16 December 1942. It is entitled "measure to be taken against bands." Under the word "bands " defendant KEITEL understood any resistance movement and demanded that his troops revert to harsh methods, stopping at nothing even in regards to women and children.

USSR-16 transcript 14-2-1946 p.13
USSR-343

The Soviet Prosecution submitted the testimony Lecurt under Exhibit No. USSR-162. Lecurt states that he shot and burnt Soviet citizens, razing their houses. He alone had shot over 1,200 persons

transcript 15 Feb. 1946 morning p 1-2

and for this achievement he was promoted to the rank of Obergefreiter and awarded the medal for service in the East. He acted in accordance with the directives of

H5158-0133

C-50
USA-554

Keitel. Keitel's directive instituting court martials in the "Barbarossa" region freed such persons of all responsibility. Keitel's hands are stained with the blood of the victims of LAHOUSEN and his like.

It was in carrying out Keitel's directive stating that life in the Eastern regions was of no value, that the soldiers and officers of Hitlerite Germany committed their atrocities.

Exhibit number USSR-51 submitted by the prosecution shows how, on the 28 August 1941 attacking German troops drove a group of women, children and old men before their formations. In the village of Kolpino the fascists shot the peasants who had been forced into digging trenches and bridges for them.

USSR-261
USSR-391
USSR-392

In Yugoslavia mass shootings of hostages became a daily feature with the military command and military administration.

In a secret report dated 15.II.1940. submitted to Goering the OKW justifies the practice of taking hostages.

1585-PS
RF-278

I wish to conclude with document USSR-336 (EC-338), which your honors of course, remember.

In this document Admiral Canaris informs Keitel of the unbridled cruelty in the prisoner-of-war camps, of the hunger, and mass shootings of Soviet prisoners of war. Even the out and out fascist and spy Canaris fearing eventual responsibility could not ignore such unbridled cruelty and flagrant violation of accepted laws and customs of warfare.

You will remember Keitel's notation on this report:

"I approve of and back these measures".

On April 7, 1946 during the cross examination I put the following question to Keitel:

> "You, Defendant Keitel, known as fieldmarshal, repeatedly referred to yourself as a soldier before this Tribunal, and you, by your sanguinary notation approved of and sanctioned the murder in cold blood of thousands of soldiers, who had fallen prisoner. Do you confirm this?"

Keitel was forced to admit this fact.

This one resolution alone unveils the true and real face of Fieldmarshal Keitel. The highly involved arguments of the defense cannot absolve Keitel of his responsibility for the bloodshed and innumerable human lives torn short by the hand of the fascist military machine in carrying out orders and directives signed by his hand.

JODL

The defendant Alfred Jodl bears equal responsibility together with defendant Keitel as his assistant and as closest military adviser of Hitler's.

All that is connected with preparation and execution of the aggressive plans of Hitlerite Germany is inseparably linked with the name of Jodl as well as with that of Keitel.

There is no need to repeat anew all those aggressive acts of Hitler's Germany, which are already facts of common knowledge, each of which had been planned and executed with the direct participation of defendant Jodl.

As the representative of the Union of Soviet Socialist Republics I should like to emphasize once more that the criminal plan of the perfidious attack on the Soviet Union, coded by the Hitler's clique under the name of the ill-fated conqueror Frederick Barbaross, is signed not only by Hitler and Keitel but by Jodl as well. But this is more than a mere signature.

USSR-263 Warlimont testimony

As early as the summer of 1940 in Reichenhalle Jodl conducted t first conference of his staff-officers, at which the question of t possibility of an attack by Hitler Germany on Soviet Russia was discussed.

C - 26

It was no one else but defendant Jodl who even before the attack against the USSR issued his well-known "Instructions on the use propaganda in the region of 'Barbarossa'". In these instructio it is unequivocally stated that "as yet propaganda aimed at the partition of the Soviet Union should not be carried on".

Thus, defendant Jodl knew beforehand of the actual aims of Ger ny's attack on the USSR, knew of the piratical and predatory na ture of the war which called for the dismembering of the Soviet Un

It was Jodl who took part in the preparation and organizat: of the provocative incident on the Czechoslovak border with the aim of justifying this aggressive act of Hitler Germany against this peace loving nation.

H5158-0134

H5158-0135

3061-PS
USA-126

It was JODL who signed the order of the 28 September 1938 regarding the use of the so-called HEINLEIN CORPS in case the "Case Green" was realized.

C-123
USSR-114

How full of mockery sound the defendant JODL's words of "soldiers honor" after reading his order on the destruction of Leningrad, Moscow and other cities of the Soviet Union.

1382-PS
USSR-478

It was this very same JODL who with inimitable cynicism declared at a conference with Hitler on the 1 December 1941 that German troops could with impunity "hang, hang by the feet and quarter" Soviet patriots.

As the closest military adviser of Hitler's, having personally participated in the preparation and execution of all the sanguinary aggressive plans of Hitlerite Germany - defendant JODL has been justly included in the ranks of the major German War Criminals.

H5158-0136

DOENITZ and RAEDER

My British colleague has proved the guilt of defendants CARL DOENITZ and ERICH RAEDER so convincingly and thoroughly that I see ne need to dwell especially on these Grossadmirals of Hitlerite Germany, who have disgraced their admirals'uniforms with such infamous crimes.

In the course of his cross-examination, DOENITZ told the Soviet Prosecutor that he as unaware of the reasons for which Hitler nominated him his successor. I don't think that DOENITZ was quite sincere in making this statement. One has but to refer to the transcripts of the sessions beginning with the 8th May, in order to understand without his acknowledging it, why he became Hitler's successor, when the Hitlerite Reich went to the bottom. The important point is not the fact that an admiral was needed at a moment like this, but the fact that only the nazi Grossadmiral DOENITZ, in the opinion of Hitler who was about to fade from the picture, could do anything to save the sinking ship.

Under Hitler, DOENITZ commanded the submarine weapon of the German Reich. We know the role which the German U-boats played in this war. In this connection it is worthy of emphasis what DOENITZ was proud of being the author of the so-called "wolf-pack tactics". Soviet people have not forgotten how DOENITZ's submarines sunk in the Baltic and Black Seas hospital ships and steamers evacuating peaceful citizens - women and children.

The last head of the Hitlerite government should be one of the first to pay for all those crimes which led to the trial of the major war criminals before the International Military Tribunal.

The name of RAEDER is linked with the sacrilegious directive for the destruction of Leningrad.

At the trial, RAEDER tried to play the part of an "honest soldier". But the mere fact that it was he, together with Hitler and KEITEL, who conspired to "wipe Leningrad off the face of the earth" and to exterminate more than three million population of that great city, whose very name is indissolubly connected with the development of the culture and history of mankind, makes RAEDER one of the major war criminals.

RAEDER took part in working out all most important plans of aggression of German fascism. This participant in the criminal fascist conspiracy must, therefore, bear punishment together with his associates.

KALTENBRUNNER

The defendant Ernst Kaltenbrunner was considered by Himmler to be the most deserving successor to that henchman, Heidrich, executed by Czech patriots.

On 30 January 1943, he was appointed Head of the Reich Main Security Office and Chief of the SD.

Numerous documents, and especially orders signed by Kaltenbrunner, for the mass deportation of people into concentration camps, the testimonies of his subordinates, including the depositions of Walter Schellenberg, the former Chief of Intelligence Department (AMT VI), and of Otto Olendorf, Chief of the Interior Security Service, fully convict Kaltenbrunner of heinous crimes.

At the session of 12 April 1946, in the course of Kaltenbrunner's examination, the testimonies of Johann Kandutor, ex-prisoner of Mauthausen, were read into the record. In his depositions, Kandutor describes as follows Kaltenbrunner's pass-time during one of his visits to the camp:

"Laughing, Kaltenbrunner entered the gaz chamber; then the prisoners were led from the barracks to the execution and all the three methods of execution were demonstrated - hanging, shooting into the nape and asphyxiation by gas".

I shall not dwell upon the numerous proofs which are available, as they have been sufficiently clarified before the Tribunal. There is only one point of the accusation against Kaltenbrunner, on which I deem it necessary to dwell.

Together with other RSHA organizations, Kaltenbrunner took over from Heidrich five "Einsatzgruppen". The citizens of the Soviet Union remember well these criminal organizations of the German fascism, headed by Kaltenbrunner.

USSR-7
USSR-41
USSR-39

The "Einsatzgruppe A" reached the approaches to Leningrad. It created the "Fort of Death # 9" near Kaunas, the secret points for mass extermination of human beings in Panarai; it carried out the executions by shooting in the woods of Salaspilsk and Bikerneksk near Riga; it erected gallows in the parcs of one of Leningrad's suburbs - the Pushkino.

The "Einsatzgruppe B" settled down in the vicinity of Smolensk.

USSR-3
USSR-14
USSR-48

It burnt alive the peasants of Byelorussia; it shot down the victims of the awful Pinsk "action"; it drowned thousands of Byelorussian

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women and children in the Mosyr marshes; it operated with murder vans in Minsk; it liquidated the ghetto in the Upper Gardens district of Smolensk.

USSR-14
USSR-9 The "Einsatzgruppe C" - was quartered in Kiev. This group carried out the mass "action" in Baby Yar near Kiev, an execution unmatched for its cruelty, when 100.000 Soviet citizens perished on a single day.

USSR-14
USSR-1
USSR-42 The "Einsatzgruppe D" operated in the southern regions of the temporarily occupied territories of the Soviet Union. This group was the first to experiment with the murder vans on the Soviet citizens in the district of Stavropol and in Krasnodar.

And when Kaltenbrunner's [illegible] be decided, all these human beings, asphyxiated in the "murder vans" near Stavropol, buried alive in the graves near Kiev and Riga, burnt alive in the Byelorussian villages, must not be forgotten.

All these innocent victims are on his dirty conscience.

The successor of a hangman, Kaltenbrunner was a hangman himself, and he had the charge of the most horrible aspect in the common criminal plan of the Hitlerite clique.

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ROSENBERG

I shall now summarize the evidence pertaining to the guilt and the responsibility of the defendant ROSENBERG.

In spite of ROSENBERG's efforts to minimize his role and importance, in spite of his efforts to juggle with historical facts and events - he cannot deny that he was the official ideologist of the nazi party, that already a quarter of a century ago, he laid the "theoretical" foundations of the fascist Hitlerite state, and during this whole period he corrupted morally millions of Germans, preparing them "ideologically" for the monstrous crimes committed by the Hitlerites - crimes unprecendented in history, and which are the subject of this trial.

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USA-600
PS-3559

When, at the trial, ROSENBERG was asked: "were you not one of HITLER's closest collaborators?", he [illegible] even speak - he shouted in reply: "that is not true, I never was". But however hard ROSENBERG tried to renounce his "Fuehrer", he has not succeeded in washing away the stigma of "one of the oldest and the most faithful of HITLER's comrades-in-arms". For twenty five years, ROSENBERG, acting first as HITLER's collaborator and afterwards under his direction, worked out and assisted in the realization of the fantastic plans for world supremacy, having chosen for the justification of these criminal plans, the misanthropic theory of racism.

The fact that ROSENBERG utilized for his purposes the refuse of science and borrowed some of his theories from Karl LUGER and Paul LAGARDE, Count GOBINO and LIAPOUCH, Oswald SPENGLER and Arthur MELLER, cannot influence the solution of the question on ROSENBER's responsibility and guilt.

The important fact is that ROSENBERG, having assembled all these excrements of science, raised the racial theories to a degree of racial fanaticism, and educated in this spirit the members of the nazi party and the German youth. And when the representatives of the "master race" elaborated and committed acts of aggression, when the German oppressors enslaved and exterminated nations and peoples, when the factories of death were created at Majdanek and Auschwitz, ROSENBERG's share in all these crimes was great.

All this was the outcome of the fascist racial ideology, the essence of which consists in the idea that the "aryan",

"north-germanic" race is a "master race", and that all other races and nations belong to "lower strata".

ROSENBERG's Counsel said: "the Tribunal must judge crimes and not theories". In ROSENBERG's case such an argument is clearly unconvincing. For ROSENBERG, not only confessed the fascist racial theory, but he knowingly propagated it and instilled it into the conscience of the German people, this theory which became a direct menace to the existence of the democratic European states. The person who carries microbes must be isolated, but the person who willingly disseminates microbes, must be tried.

ROSENBERG's criminal activity was not limited to the ideological preparation for aggression and to the propagation of misanthropic theories. His activity had many facets.

The criminal activity of the foreign-policy Department of the NSDAP has already been sufficiently clarified at this process; this department, which for many years was subordinated to the defendant ROSENBERG, was in charge of the half-legal nazi agencies abroad. The participation of this organization in the foreign policy measures undertaken by the Hitlerite Germany and [illegible] initiation of aggressive wars, is very great.

Doc.Counsel Neurath v.I,p.67

One of the documents submitted by NEURATH's Counsel and accepted by the Tribunal, reads as follows:

> "... at one time there existed in Berlin three sorts of ministries for foreign affairs: ROSENBERG's ministry, RIBBENTROP's ministry, and the official ministry on the Wilhelmstrasse".

USSR-117

And finally, ROSENBERG's letter to Hitler of 6.2.38 stressed his real influence on the foreign policy of Hitlerite Germany and his "merits" in this field, when he applied for a membership in the Secret Cabinet Council.

I see no necessity to give an analysis of the entire criminal activity of ROSENBERG, and I only intend to dwell very shortly on his activity as "Fuehrer's plenipotentiary" and, later, as the Reich Minister for the Occupied Eastern Territories. In these capacities, ROSENBERG exercised his talents most actively, as a participant in criminal conspiracy.

Rosenberg declares that he was against war with the USSR and that he learned from Hitler about the preparations for an attack against the USSR, only when all the orders to military channels have already been given, and that he never really had any influence on the foreign policy of the Hitlerite Germany. I affirm, Your Honours, that all these declarations of ROSENBERG are false.

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H5158-0141

It is a commonly known fact that the plan for a German crusade against Soviet Russia is indeed the starting point of the national-socialists foreign policy, as set out in the 1921 New-Year publication of the newspaper "Voelkischer Beobachter", and that the author of this policy is Alfred Rosenberg. It was Rosenberg, who inspired by Ludendorf and Rechberg, propagated - together with Hitler - a foreign policy directed towards the creation of an antisemitic, antibolshevik and antibritish continental Europe.

Rosenberg's speeches, setting out plans for the "exchange" of the Polish corridor against the Ukraine, his "diplomatic" journeys into certain countries after the seizure of power by the fascists, his clumsy efforts to realize the foreign policy programme of the nazis - were disclosed in detail in the press.

The submitted documents, give a clear picture of Rosenberg's feverish activity in April 1941 - during the period immediately preceeding the attack of Germany on the USSR - when he was nominated "Fuehrer's plenipotentiary for the supreme control of the questions connected with the Eastern-European territories".

PS-865
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On 7 April 1941, two weeks prior to his nomination, Rosenberg sent to Hitler his proposals for the division of the Soviet Union into Reichskommissariats and for the nomination of fascist governors for the occupied territories. Byelorussia and the Ukraine, Minsk and Kiev, Rostov and Tbilisi, Leningrad and Moscow, were all enumerated in Rosenberg's proposals. For the post of the Reichskommissar of Moscow, Rosenberg recommended the notorious Erich Koch.

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We have heard about Rosenberg's meetings with Brauchitsch and Raeder and of his conferences with Funk, General Thomas, state secretary Backe and others, on the questions of economical exploitation of the eastern territories, and about his negotiations with Ribbentrop, the SS Chief of Staff, the Chief of the German intelligence service, Admiral Canaris. Already six weeks prior to the attack on the USSR, he worked out directives for all the Reichskommissars of the occupied Eastern territories, in which he provided for a "Reichskommissariat Russia" and the "Reichskommissariat Caucasus", whilst the Byelorussian republic was to form a part of the "Reichskommissariat Ostland".

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PS-1030

Rosenberg is attempts to affirm that he did not share in the aggressive, predatory aims of the war against the USSR, and that, in his capacity of Minister for the [illegible] Eastern territories, he all but loaded with benefits the population of these territories. And this he dares to affirm, when the directive to the Reichskommissar of the Baltic countries and Byelorussia, described his aims as follows:

> "... the creation of a German protectorate for the purpose of subsequent inclusion of these regions in the Greater German Reich, by means of the germanization of elements - suitable from the racial point of view, of the colonization by the representatives of the German race and of the extermination of the undesired elements".

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And this is said in addition to the following recommendations made in another of ROSENBERG's directives on the subject of the civil administration in the occupied Eastern territories:

EC-347
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"Our main task ... is the furthering of the Reich's interests. The regulations of the Hague Convention regarding land-warfare are not valid, as we can consider that the USSR has been destroyed ... For this reason, all measures which the German administration deem necessary of convenient are admissible".

ROSENBERG was too hasty in his assertion that the USSR was destroyed, let the cat out of the bag, and gave away his secret plans. But this document is also an irrefutable proof, invalidating all the attempts of the defendant to threw off his shoulders the burden of responsibility for the monstrous crime perpetrated by the German-fascist aggressers throughout the occupied territories of the USSR, to the shoulders of individual officials and policemen, of KOCH and HIMMLER.

It was ROSENBERG, who permitted the repudiation of the Hague Convention and the utilization of all measures which might seem "convenient". When KOCH, for his "convenience" exterminated the population of the entire Zuman district, he was acting in the spirit of this directive of ROSENBERG.

ROSENBERG described here his [illegible]ons with KOCH; he alleged that he has followed humanitarian policy and even imposted agricultural machinery.

Even if ROSENBERG did indeed, from time to time, object to KOCH's actions, it was only because he was afraid of premature publicity, because he was afraid that KOCH's unparalleled ill-treatment of the Ukrainian people would only strengthen the resistance movement. ROSENBERG was influenced by fear and not by any humanitarian considerations. ROSENBERG's true policy is set out in numerous documents which have now become known to the world's public opinion and which are in the files of the Tribunal.

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In an "official note for Fuehrer" dated 16.3.1942, Rosenberg set out the aims of the German policy in the occupied territories of the USSR and, first of all, in the Ukraine ..."the utilization of minerals, the creation of a German colony in certain regions, no artificial intellectual development of the population, but its preservation as a source of manpower".

In his report on the reorganization of the Caucasus, ROSENBERG wrote that:

USSR-
-58

The problem of the East consists in the transplanting of the Baltic nations to the soil of German culture and in the preparation for the large-scale expansion of the German frontiers.

The task of the Ukraine is to secure the necessary food supplies for Germany and Europe, and the raw materials for the continent. The problem of the Caucasus is primarily a political problem and it will lead to the expansion of continental Europe,
USSR-58 headed by Germany, from the Caucasus isthmus to the near East."

And finally I would like to point out that it was ROSENBERG who had made the following statement, at a conference of the German Labor Front, on the policy in the occupied USSR territories:

USSR-170 "It is obvious, that if we are to subjugate these peoples, arbitrary justice and tyranny will be the most suitable form of government."

The Defense affirms that ROSENBERG and his "Einsatzstab" were not concerned with the plunder of cultural treasures, but with their preservation. This statement is also quite false. Numerous documents read into the record at this trial, have proved that as early as April 1941, i.e. more than two months prior to the attack on the USSR, ROSENBERG was organizing special units and staffs and was elaborating plans for the removal of the cultural treasures of the Soviet Union.

USSR-375 On 16.X.41 ROSENBERG wrote to Hitler as follows:
L-076

"I have now given an order to a similar operative staff of my organization to carry out in the occupied Eastern territories the work already accomplished in the West. . . .

.... Having before our eyes the whole picture, we can satisfay all the just wishes and demands of the Greater German Reich. On this basis I would also be willing to take upon myself to guarantee that all the treasures of art from the Lintz and other museums which can be utilized for your personal plans, are really used for this purpose".

327-PS On 17 October 1944, ROSENBERG wrote to LAMMERS that for the transport
USA-338 of goods "listed" by his organization, it was necessary to use 1.418.0 railroad cars, whilst 427.000 further tons were transported by water. In this same letter, ROSENBERG mentioned that amongst the confiscated goods removed to Germany, there were 9.000 cars with agricultural and other machinery.
And after this, he dares to speak about some machines which he has allegedly imported into the Ukraine!

And finally, I shall speak about the ridiculous theory of the so-called ROSENBERG's "noble antisemitism". It is absurd to argue with ROSENBERG's counsel, who affirms that there exists such a thing as a "noble antisemitism",

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H5158-0144

and all the more absurd it is to argue with Rosenberg. In my statement to the Tribunal, I threw light upon the fascist propaganda contained in the defense speeches. Now, I would like to recall to the Tribunal the text of two of Rosenberg's documents:

In his directive of 29.IV 41, he wrote:

USA-278
PS-1024 "The general solution of the Jewish problem must at the present moment be carried out by methods of a tempory character. Slave labor for Jews, the creation of Ghettos, etc., must be the solution of this problem."

Even more cynical and frank is the statement made by Rosenberg in November 1942, when he, in his capacity of Minister for the Occupied Eastern Territories, addressed a conference of the German labor front:

USSR-170 "We must not be satisfied - said Rosenberg - with the deportation of Jews to another country and with the creation here or there of a large Jewish ghetto; no, our object must always remain the same. The Jewish problem in Europe and in Germany will be solved only when there are no more Jews left on the European continent".

USA-289
P-135 And the operations "Kotbus", the extermination of Jews in the Baltic towns, in the Ukraine and Byelorussia - all these were carried out in conformity with Rosenberg's theories and with his agreement.

In 1937 Rosenberg received the German national prize. Commenting on this event, the fascist press wrote as follows:

USA-600
PS-3559 "Alfred Rosenberg has brilliantly succeeded with his books in building up the scientific and the spiritual foundations of, and in consolidating and strengthening the philosophy of the national-socialism.

Only future generations will be able to appreciate fully the profound influence of this man on the philosophical foundations of the national-socialist state".

But the future - became the present. And I am sure that the Tribunal will be able to appreciate duly not only the influence exercised by Rosenberg on the "philosophical foundations of the national-socialist state", but also his active participation in all the crimes against peace and humanity perpetrated by the Hitlerites.

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F R A N K

A lawyer by training the defendant Hans FRANK was one of those who liked to speak about reviewing the "ancient German" law for Germans, about "Principles of Justice", for the "select" about the "right of the chosen people" to annihilate nations and countries.

In 1939 he was the very man, who had been corrupting the German legal conception for a long time, to whom Hitler entrusted the fate of subjugated Poland. Frnak arrived in Poland to realize practically the programme of enslavement and extermination of the people on the territory of a country possessing a history which had lasted for ages and original high culture.

I should like to remind the Tribunal of some of Frank's views expressed during the first months of his stay in Poland, taken from his so called "diary". It is hardly worth while to discuss with the defense counsel the probative value of this document.

Frank himself declared to the magistrate that "this document was of historical importance" and to the question "whether all his statements contained in the diary were true', he replied "they fully correspond to what I know".

On 19th January 1940 Frank declared with cynical frankness at the conference of the department-leaders.

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"On 15th September 1939 I was entrusted with the task of governing the conquered eastern territories and recieved the special order to ruin this territory ruthlessly as a war territory and a war trophy and to turn it into a heap of rubble from a point of view of the social, economic, cultural and political structure".

On 31 October 1939, in the presence of Goebbels at a conference uniting the leading officials of the Government-General, he declared: "A perfectly accurate differenciation must be made between the German people - the master-race - and the Poles".

USSR-223
page 3

He then remembered the Polish culture which Frank, as defense counsel Dr. Seidl said here, took so great care of. He stated: "The Poles can be allowed only those possibilities for educating themselves which would prove the hopelessness of the destiny of their nation. Alone bad films or films demonstrating the might and greatness of the Germans can be taken into consideration for the purpose".

USSR-335

One of Frank's first instructions was the order to shoot hostages. Later on similar orders were to be counted by the hundred and the thousand until they finally culminated in the edition of "regulation" dated 2 October 1943.

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On 10 November 1939 FRANK was informed that the day of Polish independence was approaching and that posters were be hung up on certain houses to remind the Poles of their national holiday. The following entry then appeared in FRANK's "Diary": "The Governor-General decrees that one inhabitant of the male sex is to be taken from every house on which a poster of this kind is hung up and is to be shot". "The Pole must feel that we do not intend building a lawful state for him." The short extract we are quoting from the speech FRANK made at the conference of the department-chiefs of the "Government-General" characterizes this hitlerite "lawyer" far better than lengthy excerpts taken from his parade-speeches which we were obliged to listen to here ...

The criminal activity of FRANK in Poland is so very manifold, that there is no possibility, in a short speech, to reconstruct to the Tribunal the innumerable proofs of FRANK's guilt which have been submitted in this court-room and which are evidently still fresh in the memory of the judges.

But from FRANK's criminal activities in Poland we must segregate the predominant trait which is FRANK's activity as the murderer of millions of people.

Of course he looted, he was GOERING's Plenipotentiary for the 4-year plan and he looted, so to say, "be it merely in this capacity

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page 6

He sent over 2 million Poles to Germany for forced labour. The attempt of the defense to represent FRANK as "the enemy of coercive methods of recruitment", can be based only on the assumption that nobody excepting counsel had studied Frank's diaries. For FRANK never can escape documents such as the minutes of the meeting of the department leaders dated 12 April 1940, or the notes of Gauleiter Sauckel of the 18 August 1942, or the transcript of the meeting with Buehler, Krueger and others of the 21 April 19

But he sent people to forced labour in order to wring them dry in the interests of the "Reich" before sending them to their doom. The regime, set up by Hans FRANK throughout Poland during all the stages of the temporary German domination in this country,

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was a regime for the inhuman destruction of millions of people by means of varied, but equally criminal, methods.

It is not merely incidental that the German-fascist assassins who annihilated 11 thousand of polish prisoners of war in Katyn forest should refer to the regime which FRANK instituted in Poland as an example of his own activities (as the Tribunal has been able to ascertain not so very long ago in this court-room from the evidence presented by the former deputy to the mayor of Smolensk - prof. BASILEVSKI.)

I consider it to be particularly important, at this point to emphasize the conception FRANK had of the relations with the Polish population after the war:

"I insistently draw your attention, said FRANK, to the fact that, should peace be concluded, nothing would change in our treatment. This peace will signify that we, as a world power,
USSR 223 will conduct more firmly than hitherto our general line of policy. This peace would signify that we will have to carry out colonization on an grandiose scale, but the principle will not have changed."

This was stated in 1940 when FRANK was contemplating the first mass murder of the Polish "intelligentsia", the so-called "AB" action.

In 1944, at the meeting of the agricultural leaders at Zakopane FRANK said:

"If we win the war, then in my opinion we could make mincemeat of the Poles and Ukrainians and of all those who are idling around the Government-General. If only we keep them in subordination
USSR 223 during war-time. "Come what may".
. 21

It was not FRANK's fault, that as early as in 1944, dreaming to make "minced meat" of Poles and Ukrainians he was compelled to add: "If we win the war". At this time he couldn't be as emphatic his utterings as on 2nd August 1943, when at the reception of the Party speakers in the Royal Palace in Cracow he spoke about the exterminated Polish Jews:

USSR 223 "Here we started out with 3.500.000 Jews, now but a few workers
p. 21 remain from this number. All the others, we shall some day say, emigrated".

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FRANK himself as well as his counsel tried to affirm that the defendant had known nothing about what was going on at the concentration camps of the General Government. However, in this very "Secret report" addressed to Hitler by FRANK, which the defense counsel tried to utilize on behalf of FRANK we may find a confirmation of the fact that FRANK was well informed about what was happening in the camps. It is said there:

"Most of the Polish intellectuals are not susceptible to the influence of the news from Katyn and in answer quote similar atrocitie in Auschwitz".

Then FRANK cites a highly characteristic passage describing the reaction of the Polish workers to the provoking communications of th Germans about Katyn:

"There are concentration camps in Auschwitz and Maidanek, where mass murder of the Poles was carried out along chain-production lines." and further:

"Today, unfortunately, the Polish public opinion and not only the intellectuals, compare Katyn to the mass death rate in the German concentration camps, as well as to the shooting of men, women, and even of children, and old people when carrying out collective punishm in the districts."

After the "secret report" addressed to Hitler there was no other "new course" on FRANK's part. On the contrary FRANK published his regulation of 2nd October 1943, which the defendant himself termed as "dreadful", when questioned by his counsel. After his "regulation" had been carried into effect many thousands of innocent people became his victims. The number of executions increased steadily till it amounted to 200 persons executed at a time in Warsaw.

USSR-335 The same thing happened in the streets of all the Polish towns, where the so-called "police courts" carried out executions, as it is said in the text of the regulation itself, immediately following the verdic The people doomed to die were brought to the place of execution wearing paper clothing, with their lips glued together with sticking-plaster, their mouth stuffed with plaster, bled white in prison. At the state conference held in Cracow on 16th December 1943, where FRANK stated with great satisfaction that the executions had "favourable consequences", another question was simul taneously discussed. In the records of this conference it is said:

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USSR-223 pag. 20. "We must discuss the question whether, it is possible to arrange special places of execution, as it has been established that the Polish population gathers at accessible places of execution to collect the earth saturated with blood into vessels which they place in Churches".

The defense counsel tried to speak here about interminable dissensions of Frank with the police; he had allegedly disagreed with their action. Let us see what kind of dissensions these were.

The first "sonder-action" carried out in Poland,namely: the AB operation - a physical extermination of several thousands of Polish intellectuals - had not been initiated by the police, but had been initiated by Frank himself. According to the Decree of Hitler of 2nd May, 1942, the director of the police was subordinated to the Governor General. When some dissensions between Frank and the chief of the police did arise, it was KRUEGER who had to leave his post of police chief,whereas Frank remained Governor General of Poland. As for the Obergruppenfuehrer KOPPE who took the place of KRUEGER, who else was it but FRANK who expressed his thanks to him on 16th December 1943 for shooting the hostages, "his gratitude for his fruitful work" and noted with satisfaction "a great specialist is at the head of the police at the Government General". It is incomprehensible about what dissensions concerning the policy was counsel SEIDL talking about.

His counsel even tried to represent FRANK as "a singularly peaceful antisemite", who entertaining a negative attitude towards the Jewish people never initiated massacres of the Jews or even instigated same. It is incomprehensible in this case how the following words of FRANK would be interpreted by the counsel:

USSR-223 pag. 22. " The Jews - are a race that should be exterminated. Whereever we catch even one - he shall be done away with".

Or his declaration at the government sitting of 12th August 1942, when he said:

"That 1,2 million Jews have been condemned by us to starvation is quite comprehensible. It stands to reason that if these Jews do not die of starvation, this will lead to precipitated active measures directed against the Jews".

The criminal activity of the henchman of the Polish nation led to the extermination of millions of people.

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"You see how the state organs are working, you see that they don't hesitate before anything and stand up people by the dozen against the wall". - This is the manner in which Frank himself at a conference of the Standartenfuehrers held the 18 March 1942 characterized the bloody regime of terror set up throuought Poland.

USSR-223 page 16

"I did not hesitate to declare that for one German killed up to a hundred Poles would be shot" - these words were pronounced by Frank on the 15 January 1944 at a meeting of the political leaders of the NSDAP.

USSR-223 page 21

"Had I gone to the Fuehrer and told him:"My Fuehrer, I am reporting to you that I have exterminated another 150.000 Poles", he would have said: "Perfect, if it was indispensable"- stated on the 18 March 1944 whilst making a speech at the Reichshof, that very same FRANK who now tries to convince the Tribunal that he had some "differences of opinion on matters of principle" with Hitler and Himmler.

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The declarations that FRANK made during the first months of his stay in Poland were a veritable programme of murder which were perpetrated by the defendant methodically, ruthlessly and according to plan.

FRANK, of course, was fully aware of the fact that should war not bring victory with it, he would have to carry the full responsibility for the crimes committed in Poland as well as for his participation in the fascist conspiracy.

As early as 1943 FRANK spoke about this at a meeting with his accomplices. We must give credit where it is due: as a lawyer he was much more correct in his depiction and formulation of the concepts of a criminal conspiracy than certain lawyers at this trial who, basing themselves on outmoded understandings, endeavour to dispute the foundation for a conspiracy put forward by the prosecution

It was at this government meeting held in the presence of the police on the 25 January 1943 that the Governor -General of that time declared to 'Himmler's hyenas":

" ... I would like to emphasize one point: we must not squirm when we hear of 17.000 people being shot. These shot people are also victims of war. Let us now remember that all of us, assembled here, figure on the list of criminals

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of Mr. Roosevelt. I have the honor of being number one. We have become, so to say, accomplices on a world history scale. It is exactly for this reason that we have to keep together and must share the same general ideas and it would be simply funny if we started to wash our dirty linen in public by bickering about methods".

This appeal to murder is very far from the "interminable quarrels with the police" which defendant FRANK spoke about here.

The defendant made a mistake about one thing: he was incorrect in defining his place in the dock. But he was not mistaken about the fundamentals: he took his place in the dock as a "criminal on a world history scale".

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F R I C K

The history of the development of the nazi movement in Germany and the mumerous crimes of the Hitlerites are indissolubly connected with the name of the defendant Wilhelm FRICK.

As Minister of the Interior of the Hitlerite government, FRICK participated in the issuing of numerous laws, decrees and other acts directed towards the destruction of democracy in Germany, the persecution of the church, the discrimination against the Jews etc.

In this capacity, the defendant FRICK contributed most actively to the creation in Germany of the hitlerite totalitarian state.

During a period of many years, the German secret state police (Gestapo) which was to acquire a gruesome fame, was subordinated to the defendant FRICK.

Official Transcript morning 26-4-46 p. 37-38

The order concerning the extermination of aged people and of the insane was issued in 1940 by no other than the defendant FRICK.

In his capacity of Minister of the Interior of Hitlerite Germany, as the witness GISEVIUS testified to this in court, FRICK was fully cognisant of the vast system of concentration camps spread throughout the Reich, as well as of the existence in these camps of an inhuman regime.

The part played by the defendant FRICK in the preparation and the realization of the Hitlerite government's aggressive plans, was considerable. He was a memberrof the State Defense Council as well as Plenipotentiary for General Administration.

All the documents, by which the Hitlerite conspirators legalized the incorporation by Germany of the zeized territories, were signed, among others, by the defendant FRICK.

In his capacity of Protector of Bohemia and Moravia, the defendant FRICK bears personal responsibility for all the crimes committed on that territory by the Hitlerites.

H5158-0153

After the feloneous attack of hitlerite Germany upon the Soviet Union, the defendant FRICK's Ministry of the Interior participated most actively in the setting up of the administration in the seized territories of the USSR. The machinery of the German occupational authorities in the East, was manned mainly by officials of the Ministry of the Interior.

There is no need to dwell again upon the part played by this machinery, which was created with the most active cooperation of the defendant FRICK, in the extermination, the driving into slavery and the other inhuman actions carried out against the civilian population of the occupied territories.

FRICK bears full and direct responsibility, for all these crimes inasmuch as he was an active participant of the Nazi conspiracy.

H5158-0154

S T R E I C H E R

Notwithstanding the fact that during the war years, the defendant Julius STREICHER did not formally hold functions directly connected with the perpetration of murders and mass executions, it is hard to overestimate the crimes committed by this man.

Together with Himmler, Kaltenbrunner, Pohl and those who conceived, constructed and switched into action the gas chambers and "gas-wagons"; together with those who personally committed mass "actions", STREICHER must bear responsibility for the most cruel crimes of German fascism.

The enflaming of national and racial dissention, the cultivation of depraved cruelty and the calling to murder - all this was not only the party function of this man, but also the source of his income.

S-58 and S-417 And it is not by accident, that in his greeting to STREICHER dated April 1937, which is already known to the Tribunal, HIMMLER expressed his high esteem for the merits of "Der Stuermer" and of its publisher.

One can consider STREICHER as the actual "spiritual father" of those who quartered the children of Tremblinka. Had it not been for the "Stuermer" and its publisher, German fascism would not have been able to educate at such short those not mass cadres of murderers who personally put into effect the criminal plans of Hitler and his gang, by murdering over 6 million European jews.

Over a period of many years, STREICHER spiritually corrupted the children and youth of Germany. The so-called "children's editions" of the "Stuermer" have been submitted to the Tribunal.

Geno-cam O.1. 946 orn. ess. .39-1 v. ess. .1-5 And therefore, together with Baldur von SCHIRACH, STREICHER must bear responsibility for the selection of jewish children from the Lvov ghetto, for target practice by the morally depraved "Hitler-Jugend". It is not by accident, that von SCHIRACH held in so high an esteem STREICHER's "historical merits".

No.1/

The fanatical "Nurnberg laws" were only the " beginning of the struggle" for thi "judeophobe ". (as he called himself) who was also the organizer of the first jewish pogroms. As the Tribunal can recall, after these laws were issued, Streicher called for the physical extermination of the Jews in Europe and he wrote: "This problem will only be solved when world jewery is exterminated."

H5158-0155

I will not dwell again, either, on the shameless and mendacious "ritual numbers" of the Stürmer, which were to incite the SS men towards the killing of millions of guiltless persons and to justify any atrocity directed against the jews. These proofs of STREICHER's guilt, which were among others, submitted to the Tribunal, are of common knowledge and not subjected to any doubt.

GB-332
PS-801

In 1939 he anticipated Maidanek and Treblinka and wrote that "perhaps graves alone" will testify to the previous existence of jews in Europe.

In 1943, when the gas chambers of Treblinka and Auschwitz were already engulfing millions of victims, the "Stuermer" published articles inciting to the liquidation of the "ghetto", articles which were full of lies and maliciousness and finally the "Stuermer" could state with sadistical satisfaction that:" The Jews of Europe have dissapeared".

STREICHER lied all his life. He attempted to lie, here, in Court. I do not know whether he believed he would be able to deceive anybody by these lies, or whether he lied from habit or out of fear.

But it seems to me that it must be apparent, even to the defendant himself, that his last lie will not deceive anybody and will not bring him salvation.

H5158-0156

S C H A C H T

In carrying out a vast and complicated task the defendant, Hjalmar SCHACHT played an emminent part in the preparation and the realization of the criminal plans of the Nazi conspirators.

SCHACHT's defense position is extremely simple.

If he is to be believed, purely patriotic motives drew him to Hitlerism. He was against aggressive wars but for the rearmament of Germany in order to maintain peace. He was for the return of Germany's colonies in view of establishing economic stability in Europe.

Having come to the conviction that the policy of the Nazi government was directed towards an excessive armament and thereby bore the menace of another world war, SCHACHT went over to the opposition. He sabotaged the measures taken by the Hitlerite government and as a result he was persecuted as a participant in the plot against Hitler.

Defendant SCHACHT strives now to depict the enthusiastic letters, full of expressions of loyalty which he addressed to Hitler, as a method of camouflaging his real oppositional feelings towards the Hitlerite regime.

Actually, SCHACHT's connection with the Nazi movement begins as early as 1930. SCHACHT was drawn to National Socialism and both Hitler and Goering sought SCHACHT's support. Indeed the latter, with his vast connections in Germany's industrial and financial spheres, could, like nobody else, render invaluable services to the Nazi movement. And this he did.

PS-457 As early as August 29, 1932, in a letter to Hitler, SCHACHT assured the latter of his loyalty.
These were not mere words, for more than anybody Defendant SCHACHT played a decisive part in Hitler's advent to power. It was he, Schacht, who organized the demand formulated by the German industrialists
PS-376 for Hitler to be named Reich Chancellor.
As early as 1932 he, Schacht, declared to von Papen, who was then Reich
US-161 Chancellor of Germany:" Hand over your post to Hitler".
D203 It was again Schacht who, in 1933, on the eve of the Reichstag elections,
US-655 called the conference of industrialists which created an election
US-767 fund of several million marks for the Nazi party.

Hitler's closest follower, GOEBBELS, characterizes thus the part played by SCHACHT and his importance in the creation of Nazi Germany. On the 21st of November, 193[illegible] he wrote down in his diary:"In a talk with Dr. SCHACHT, I came to the conviction that he fully shares our

US-262 point of view. He is one of the few who fully agrees with the position of the Fuehrer."

PS-2409 In his spring fair speech at Leipzig, on the 4th of March, 1935, the defendant SCHACHT depicted himself his part in the Nazi state: "I can assure you that all that I do and all that I say is in full agreement with the Fuehrer, and that I will do and say nothing that would not be approved by the [illegible]hrer. That is why it is the Fuehrer and not I who is the bearer of economic reason."

As SCHACHT expected, Hitler appreciated his merits at their full value. After his advent to power in 1933 Hitler immediately nominated SCHACHT to the post of President of the Reichsbank and then to the Ministry of Economy, and finally to the post of plenipotentiary General on matters of War Economy.

The prosecution and the [illegible] proceedings have proved the extraordinary part played by SCHACHT in the preparation of Germany's armaments and consequently in the launching of aggressive wars.

US-838 The former war minister, von BLOMBERG, testified that in 1937 the

PS-3901 development plans of the armed forces were close to completion and that SCHACHT was informed of these plans and of their financing.

SCHACHT was one of the most consistent partisans of the Nazi's criminal plans. In a talk with the United States Ambassador Fuller on the 23rd of September, 1936, SCHACHT stated that: "Germany absolutely needs colonies. If it is possible, we will acquire them by means of negotiations. If not,

US-629 we will seize them."

US-450
US-632
PS-297 Speaking in Vienna in March, 1938, SCHACHT declared:
"Thank God, this could not prevent the great German people from continuing on its course, because Adolf Hitler unified German will and German thought. He strengthened it with reinforced armed forces and in the end he gave an outer shape to the inner unity of Germany and Austria."
Defendant SCHACHT was entrusted with extraordinary powers in the sphere of war economy.

H5158-0157

Over a period of many years SCHACHT cumulated the functions of Reichsbank President, Minister of Economy, and Plenipotentiary General of War Economy.

Be it only as a result of these positions, the defendant SCHACHT played an enormous and decisive part in the creation and resurrection of Nazi Germany's war economy and armed forces.

S-644
-104
S-650
S-397

This activity of the defendant SCHACHT is clearly described in the numerous laudatory letters which he received from Hitler.

The defendant SCHACHT and no other was the creator of the adventurous method of issuing so-called "Mefo bills", by which twelve millions of Reichsmarks were signed, aside from the budget assignations, to Germany economy for rearmament purposes.

As was already stated above, the defendant SCHACHT attempted, at various periods of his activity, to stress his alleged ever-increasing dissension with the Nazi regime. In reality, SCHACHT was carrying out a double game. On one hand, he shielded himself from the responsibility for the criminal policy of the Nazi government by flirting with persons who actually did strive to overthrow the Nazi regime, and on the other, he remained loyal to this regime.

It was only in 1943, when the downfall of Nazi Germany became apparent to such a hard-boiled politician as SCHACHT, that he established connection with oppositional circles. However, true to himself, he took precautions for any event and he did not actually do anything personally to overthrow the Nazi regime, and that is why he was spared by Hitler.

That is the portrait of the defendant SCHACHT, and that is the part played by him in Hitler's conspiracy and war crimes.
It is the part of the creator of Nazi Germany's war economy and of an instigator of the Second World War launched by the criminal Nazi government.

H5158-0158

H5158-0159

F U N K

Walter Funk became a nazi long before his official admission in 1931, into the membership of the NSDAP, and he remained a nazi up to the end His economic knowledge, his experience as a journalist, his extensive connections with the leaders of the German industry, trade and finance- were put by him at the service of the Hitlerite conspirators.

An article published in the newspaper "Das Reich" on 13 August 1940, under the heading "Walter Funk - pioneer of the national-socialist thought ", read as follows:

USSR-450
Trans.
7.V.46,
morn.ses.
page 51

"Walter Funk was true to his principles because he was, is and always will be a true national-soci list, a champion, devoting all his labour to the victory of the Fuehrer's ideals".

What was meant by Fuehrer's ideals, we already know only too well. Funk devoted to these "ideals" 15 years of his life.

Trans.
6.V.46
ev.ses.
pp 57-62

Funk declared that he had nothing in common with the SS, but it was he, Funk, who transformed the caves of the Reichsbank into depositories for the treasures, plundered by the SS-men in the Eastern and other occupied territories.

Trans.
7.V.46
morn.s.
pp.1-22

Funk personally gave orders, after his negotiations with Himmler, to take into the Reichsbank the golden tooth plates, the glass rims and other valuables belonging of the victims of numerous concentration camps, tortured to death.

Trans.
3.I.46
morn.s.
p.17.

The Gruppenfuehrer SS Hoiler was Funk's deputy. Under Funk's directio operated Olendorf, this murderer, who has the death of 90.000 persons on his conscience.

USA-36
PS-2194
USSR-451

Funk, supplementing Schacht's measures, put the whole of Germany's economy at the service of the aggressive Hitlerite plans, and later on - the economy of the territories Germans occupied as well.

USA-662
PS-2409

Already in May 1939, Funk, together with his Deputy, Landfried, elaborated plans for the financing of the war and the utilization of the eco mic ressources of Germany and annexed Czechoslovakia, for war purposes.

H5158-0160

USA-782
PS-378

On 23 June 1939, FUNK takes part in the conference of the Reich Defense Council, which eleborated detailed plans for the reconversion of all national economy to a war footing.

USSR-452

Already at that epoch, FUNK was not only informed of Germany's impending attack on Poland, was not only cooperating in the realization of this aggressive plan , but was also preparing economically new wars, the seizure of new territories. Such were "Fuehrer's" great political aims "which were set out by FUNK, a few months later, in his article entitled "Economic and Financial mobilization",

I shall mention one more document, On 25 August 1939, FUNK wrote to HITLER:

GB. 49
PS-699

"Feldmarshal GOERING told me that my Fuehrer yesterday evening approved the main points of the measures conceived by me for the financing of war, stabilization of ices, fixation of wages and the organization of subscription/obligatory donnations; this news made me happy". /to

A long time before the treacherous attack of Germany against the USSR, FUNK participated in the elaboration of plans for the spoliation of the riches of the Soviet-Union.

FUNK attached his collaborators to ROSENBERG's ministry and to the Economic Staff OST - this predatory organization. FUNK's agents took part also in the plunder of Czechoslovakia, Jugoslavia and other occupied countries.

FUNK was the president of the "Continental Oil" Company, which was created for the exploitation by Germans of the oil fields in the occupied Eastern territories, and especially, the oil fields of Grosny and Baku.

Trans.
7-5-46
morn.
pp 1-64

FUNK was in full agreement with the predatory aims of the war launched by Germany against the USSR. He made a speech on 17 December 1941 in Prague, to the effect that the East is the future German colony. FUNK participated at the conference which took place on 6-8-1942 at GOERING's office, for the discussion of the most effective measures for the economic plunder of the occupied territories of the USSR, Poland, Czechoslovakia, Jugoslavia, France, Norway, and other countries.

H5158-0161

At this conference, as well as at the confernece of the "Central Planning Board", FUNK participated in the elaboration of plans for the deportation to slavery of millions of people from the occupied territories.

Such are the fundamental stages of the criminal activity of the Hitlerite conspirator, defendant FUNK - Hitler's personal adviser on the economic questions since 1931, Reich Minister and Plenipotentiary General for Economic questions, President of the Reichsbank and member of the Reich Defense Council, during the period of the preparations and the realization of the criminal plan (conspiracy).

The guilt of FUNK, this active participant of fascist conspir cy for the realization of crimes against individuals, in war crimes and crimes against humanity - this guilt has been fully proved and he must bear the responsibility for the evil deeds perpetrated by him.

H5158-0162

SCHIRACH

Since 1931 and until the end of the war, the defendant Baldur von SCHIRACH was at the head of the Nazi youth.

After the publication of 1st December 1936, of a decree concerning the Hitlerite youth, von Schirach was - in his capacity of the Reich leader of youth - directly subordinated to Hitler.

In his depositions before the Court, the defendant SCHIRACH, in his efforts to avoid the responsibility for the education of the German youth in the spirit of national-socialist ideas, made frequent references to the fact that "Hitlerjugend" was a youth organization independent of the nazi party and the Hitlerite government.

For the purposes of his defense, the defendant SCHIRACH deemed it possible and relevant to refer to the great Goethe, whose words -"the youth itself educates young people"-were utilised by SCHIRACH with open cynicism.

Goethe was, of course, right when he said that "the youth itself educates the young people". But he meant the healthy, full value, joyfull youth, and not youth corrupted with the obscurantism of the Hitlerism, described clearly by the words of Hitler adressed to RAUSCHNING:

USSR-378 (p.252)

"We shall educate youth before which the whole world shall tremble - rough, exacting, cruel youth. That is what I want. Our youth must be in the possession of all these qualities. It must be without pity before suffering. It must be without weakness or softness. I want to see a glint of the wild animal in its eye."

And the Defendant SCHIRACH instilled systematically the ideas of Hitlerism in the conscience of German youth and educated the German youth in the spirit of Hitler's wishes, modelling them after the image of the grown-up leaders of the Hitlerite band.

During cross-examination, the defendant SCHIRACH was, at the end, forced to admit that the German youth was brought up in the spirit of national-socialist ideas, that members of the S.A., officers of the German armed forces and the SS, participated in its education, and that intense preparation of the youth for war was being carried out in Germany For this purpose, special agreements were made between the Reich leaders of "Hitlerjugend" and the OKW, as represented by the

defendant Keitel and the Reichsfuehrer Himmler, which made provisions for the education of youth in the spirit of agressive militarism and appropriate enlistment and the preparation of youth for the German armed forces and the SS units.

The part taken by the defendant von Schirach and his participation in the common conspiracy, in war crimes and crimes against humanity, are best of all characterised by the behaviour of the German youth brought up in "Hitlerjugend" during the war.

The Soviet prosecution has presented to the Tribunal under #USSR-6, in conformity with Article 21 of the Charter, a report of the Extraordinary State Commission about the crimes of the Germans on the territory of Lwow region.

This report records the declaration of the French citizen , Ida Wasseaux about the inhuman execution by the members of the "Hitlerjugend" of young children, of whom they made targets for shooting.

USSR-455 In her written deposition of 16 May 1946, and also in her answers to the questionnaire of Counsel for the defendant Schirach, Ida Wasseaux confirmed this declaration in full.

Conclusive testimony about the actions of the members of the "Hitlerjugend" in the cadre of the German armed forces were given by a German soldier, war-prisoner, Hertom Knitel, himself a

USSR-454 former member of the "Hitlerjugend" since 1938 and, at the age of 18, was recruited in the German army in 1942. who

Describing his participation in numerous crimes, Hert Knitel, declared:

"In the locality of Lishaisk, our company set on fire in June 1943 a house with all the people who were in it... All those tried to jump out of the house, we shot down, excepting one old woman whom we did not shoot, down, as she lost her mind before our very eyes..."

For all these crimes, the defendant von Schirach bears full responsibility together with Hert Knitel and thousands of others.

Schirach himself did not, of course, shoot, did not set on fire but he armed the German youth, morally corrupted it and prepared it for the realization of any atrocity.

But the activity during the war of the "Hitlerjugend" and the defendant Schirach was not limited to these crimes only.

H5158-0163

H5158-0164

USSR-193
USSR-36
USSR-357

The "Hitlerjugend" took an active part in the preparation of the war of aggression by the creation of fifth columns in Poland and Yugoslavia; the official reports of the Polish and the Yugoslav Governments testify to this fact. The Organization "Hitlerjugend" took an active part in the execution of all the measures undertaken by the Ministry for Occupied Eastern Territories, and this is shown by the report of the defendant ROSENBERG, presented to the Tribunal as 31039-PS; it participated also in the deportation for slavery from the occupied territories of children between the ages of 10 and 14, which fact is proved by a document presented to the Tribunal under # 1031-PS.

In his capacity of Reich Deputy and Gauleiter of Vienna, SCHIRACH directed personally the eviction of 60.000 Jews from Vienna, and who afterwards were exterminated in the concentration camps of Poland.

The documents presented by the Prosecution - weekly reports addressed to SCHIRACH, prove the fact that he was informed of all the numerous crimes perpetrated by the German armed forces and the occupation authorities in the East, and , in particular, about the tragic fate of the tens of thousands of Jews deported from Vienna.

In 1940, the defendant SCHIRACH sent a telegram to BORMANN, in which he demanded the destruction from the air of one of the cultural towns of Great Britain, in answer to the murder of HEIDRICH, that butcher of Bohemia and Moračia.

This telegram is in itself a sufficiently vivid and convincing description of the moral aspect of von SCHIRACH.

Faithfull to the Hitlerite clique, right to the end, aware of all its criminal deeds, in which he himself took an active part - the defendant von SCHIRACH is one of the most sinister figures of the third Reich.

H5158-0165

S A U C K E L .

I already indicated in my Opening Statement that the action of deporting civilians: men, women and children for forced labor into Germany, was one of the most important in the chain of heinous crimes committed by the germano-fascist usurpers.

The desisive role in this sinister crime was enacted by the defendant Fritz Sauckel.

During cross-examination in this court-room defendant Sauckel could not help but admit that during the war about 10 million enslaved laborers originating both from occupied territories and from the ranks of prisoners of war, were utilized in German industrial undertakings and also partly for German agricultural labor.

Whilst admitting the deportation to Germany and the utilization for the war industry of Hitlerite Germany of millions of workers from the occupied territories, Sauckel denied the criminal character of this action, affirming that the recruting of labor was allegedly carried out on a voluntary basis.

This assertion is not only a lie but a slander against the millions of honest patriots of the Soviet Union, of Czechoslovakia, Yugoslavia, Poland, France, Holland, who, devoted to their country, were forcibly sent for labor into Hitlerite Germany.

The attempts of defendant Sauckel to depict his part of plenipotentiary general as merely consisting of coordinating and controlling other government labor organizations are futile. As the Plenipotentiary general for labor employment, Sauckel was invested by Hitler with supreme and all-encompassing powers, and was, in his activity, directly and personally subordinate to Goering.

And Sauckel extensively used these full powers in order to deport to Germany labor from occupied territories.

There is no need to refer to the extensive documentary evidence presented to the Tribunal and which irrefutably establish the criminal character of the methods of mass deportation into slavery of the population of occupied territories as well as the role of the defendant Sauckel in organizing these crimes

H5158-0166

USA-171
031-PS
USSR-365
025-PS
USA-698

How far these crimes extended is shown in the operation carried out by the German military and civil authorities, ciphered under the name "Seno", which provided for the forced deportation of children from the ages of 10-14 into slavery, as well as for the deportation of Ukrainian girls destined by Hitler for Germanisation.

The defendant Sauckel has tried to assure the Tribunal that he had strictly complied with the demands of the Geneva and Hague Conventions concerning utilization of labor of prisoners of war. However his own instructions fully expose his lies

USA-206

The defendant Sauckel had planned beforehand the forced utilization of Soviet war prisoners for the war industry in Germany and never made any difference between them and the civilian labor forces.

The inhuman conditions under which the foreign workers and prisoners of war deported for slavery lived, are testified to by the numerous documents submitted as evidence.

The defendant Sauckel himself was obliged to admit that foreign workers were kept in camps with barbed wire and were obliged to wear special identifying badges.

The witness Dr. Wilhelm Eger summoned to the Tribunal by counsel for the defence was obliged to give an awful picture of the conditions under which the enslaved workers at Krupp's works lived.

After all this, the deposition of the other witness Fritz Fishofer seems ridiculous because trying to excuse Sauckel, he manifestly overdid it by informing the Tribunal that he allegedly saw foreign workers walking and enjoying themselves in the Prater in Vienna.

The defendant Sauckel showed great activity in committing all these crimes. In April 1943 he personally visited the towns: Rowno, Kiev, Dniepropetrovsk, Saporozhie, Simferopol, Minsk, Riga and in June of the same year - Prague, Cracow, and again Kiev, Saporozhie and Melitopol in order to force the deportation of labor.

195-PS

And it was as a result of his journey to the Ukraine in 1943 that Sauckel expressed his gratitude for the successful mobilization of labor forces, to the Reichscommissar of the Ukraine Koch, known for the drastically cruel measures which he applied to the Ukrainian population.

And it is not mere chance that the criminal activity of Sauckel was so highly appreciated in Hitlerite Germany.

H5158-0167

On 6th August 1942 the defendant Goering declared at the conference of the Reichscommissars for the occupied territories:
"I do not wish to praise Gauleiter Sauckel. He does not need it. But what he has done in this short time in order to gather workers and to have them brought to our enterprises is a unique achievement. I must tell everybody, gentlemen, that if each of you applied but the tenth part of the energy which Gauleiter Sauckel applied, it would be easy indeed to fulfil the tasks imposed upon you ..."

In the article published in the Reichsarbeitsblatt" for 1944 dedicated to the 50 anniversary of Sauckel it was said:

"True to his political task, he pursues his responsible course with unyielding consistency and steadiness, with a fanatical belief. As one of the most faithful adherents of Hitler, he gathers his creative and spiritual strength from the Fuehrer's trust in him".

When estimating the criminal activity of Sauckel, Your Honours will surely consider the tears shed by the millions of people who languished in German slavery, of the thousands of people tortured in inhuman conditions in the worker's camps - they will consider this and will judge accordingly.

H5158-0168

S E Y S S - I N Q U A R T

The defendant Arthur SEYSS-INQUART was appointed by Hitler Chief of the civil administration in Southern Poland at the beginning of September 1939 and since 12 October of the same year - Deputy Governor General of Poland. He occupied this post till May 1940.

For seven months SEYSS-INQUART personally, under the leadership of FRANK and jointly with him propagated a regime of terror in Poland, and took an active part in elaborating and realizing the plans for the extermination of many thousands of people, for the economic plunder and enslavement of the people of the Polish state.

On 17 November, 1939 SEYSS-INQUART addressed the chiefs of the administration and departments of the Warsaw Government mentioning among other things, that when the German administration acted in the General Government "its leading principle must be - the interests of the German Reich. By means of a severe and unrelenting administration this region must be utilized for German economy, and in order not to show any unnecessary charity, one must remembere how the Polish race usurped the German territory".

Transc. 16.1.46 pv.sess. p.24

Two days later SEYSS-INQUART instructed the Lublin Governor Brigadenfuehrer SS on the same question in the following way: "The resources and the inhabitants of this country must serve Germany, and they may prosper only within these limits. The development of independent political thinking cannot be permitted. Perhaps the Vistula will have an even greater significance for the fate of Germany than the Rhein".

Same Transc. pp. 33-34

The report on the official journey of SEYSS-INQUART establishes that the Governor of Warsaw FISCHER informed the defendant that all valuables of the Warsaw bank in gold, precious metals and bills of exchange were transferred to the Reichsbank, whilst the Polish inhabitants were obliged to leave their depostis in the banks; that the German administration was employing forced labor; that the Lublin Governor SCHMIDT declared in the presence of SEYSS-INQUART:

PS-2278 US-487 "This territory with its strongly marked swampy nature could serve as a region for the Jews.

H5158-0169

where conditions could be created to shoot every tenth of them"

I draw to the attention of the Tribunal the fact that it was exactly at Majdanek near Lublin that the Hitlerite henchmen created an enormous death concern in which they exterminated about one million and a half of human beings.

Doc. of Def. v.I p.125 — It is also known that Seyss-Inquart, as Frank's deputy, fulfilled on his behalf "special tasks".

On 8th December 1939, Seyss-Inquart took part in a conference on the following subjects: the appointment of Frank as authorized plenipotentiary for the 4 Year Plan and the tasks of the Governor-General "to obtain from the economy of the Government-General all that is best and useful for the Reich"; the numerous trains of Jews and Poles which had arrived since the 1st December from the re-annexed territories, which transportations would continue - according to Obergruppenfuehrer SS Krueger - till the middle of December; the issue of supplementary [illegible] extending labour recruitment to persons of the age of 14 to 18.

USSR-223 PS-2233

On 21st April 1940 the defendant took part in the conference at which measures for forced deportation of Polish workers to Germany were elaborated.

USSR 223

On 16 May 1940 the defendant took part in the elaboration of the AB operation, which was nothing but a plan of wilful mass extermination of the Polish intellectuals.

Trans. 16.1. 46 ev. p.25 - 26

In connection with the appointment of Seyss-Inquart as Reichskommissar for the Netherlands, Frank and his worthy deputy exchanged farewell speeches:

"I am exceedingly glad, said Frank, to assure you that the memory of your work in the Government General will live forever when the future world Reich of the German nation will be created..."

"I have learned much here - answered Seyss-Inquart - above all about the initiative and firm leadership of the kind I saw in my friend, Dr. Frank.

... All my thoughts are connected with the East. In the East we have a National-Socialist mission, in the West we have functions".

The function of Seyss-Inquart in the West, as the functions of other Reich ministers and Kommissars in all territories occupied by the Germans are well known: it is the function of henchman and plunderer.

H5158-0170

My colleagues have given the details about the criminal part played by Seyss-Inquart when annexing Austria and realizing other aggressive plans of the Hitlerite conspiracy; they have clearly shown how Seyss-Inquart applied in the Netherlands the bloody experiment, learned by him whilst collaborating with Frank in Poland. For this reason I may fully support the charges against Seyss-Inquart as they are formulated in the Indictment.

H5158-0171

V O N P A P E N

As early in 1932, whilst still Reichschancellor of the German republic, the defendant Franz von PAPEN actively contributed to the development of the fascist movement in Germany.

Papen rescinded the decree of his predecessor BRUENING prohibiting the activities of the SA storm units. It was he who overthrew the Braun-Severing social-democratic government in Prussia.. These measures strengthened greatly the position of the fascists and contribute to their accession to power.

In this manner PAPEN cleared the way for Hitler. Having secured the power for the Nazis, PAPEN himself assumed the post of Vice-Chancellor in Hitler's cabinet. In this capacity von PAPEN participated in the elaboration and the promulgation of a series of legislative acts which aimed at the consolidation of German fascism.

And later on, during the course of many years, and until the collapse of Hitlerite Germany, von PAPEN remained true to his fascist friends and participated to the utmost of his abilities in the realization of the criminal conspiracy.

The defendant von PAPEN is attempteing now to explain away/ his role in the development of the Nazi movement and in Hitler's rise to power by the political situation of the country which, according to him, made Hitler's accession to power unavoidable.

The real motives which guided von Papen are that he himself was a convinced fascist devoted to Hitler.

Speaking at Essen on the 2 November 1933, during the electoral campaign for the Reichstag, PAPEN declared

Transc. 23.1.46 evening sess. p.14

> "From the time that destiny called upon me to become the pioneer of the national reawakening and rebirth of our Fatherland, I strove with all my might to support the work of the national-socialist movement and of its leaders. Just as I pronounced myself, when I became chancellor, for paving the way for the young shock movement of liberation,

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just as on the 30th January I was elected by a merciful providence to transfer the power to the hands of our Chancellor and Fuehrer, so today I fell it incumbent upon me to tell the German nation and all those who have kept their trust in me: merciful God has blessed Germany by giving her, in the days of deep distress, such a leader with the reliable intuition of a statesman, who will lead her through all misfortunes and weaknesses, through all crisis and dangers to a happy future".

The International Military Tribunal will appreciate to the full the criminal activity of the defendant von PAPEN, who played a decisive part the seizure of power by Hitler and, in doing so, contributed to the creati of the dark powers of nazism who brought bloody wars on the world and caused innumerable calamities.

H5158-0173

S P E E R

Long before the Nazi came to power the architect, Albert Speer, was a personal friend of the architect's draftsman, Hitler, and remained one till the end. Not only common professional interests but political interests also brought them together. Speer began his career in 1932 with the reconstruction of the "brown house" - the headquarters of NSDAP in Berlin, and in 10 years' time he was at the head of all the military construction and war production in Fascist Germany. Starting with the construction of the building of the Reichs "Parteitag", Speer ended by setting up the "Atlantic Wall".

Speer held an important post in the government and military machinery of Hitler's Germany and played a direct and active part in planning and realizing the criminal conspiracy.

What is Speer's "line of defense" at the trial? Speer presents his case in the following way; he was pressed upon by Hitler to take on the post of minister; he was an intimate friend of Hitler's, but he knew nothing about his plans; he had been a member of the Nazi party for 14 years, but he was far from politics and had never even read "Mein Kampf". It is true, that upon being given the lie Speer confessed that he had lied during his preliminary interrogation at the inquest.

USA-575 Speer lied when he denied that he had never belonged to the SA, and then to
Ps-3568 the SS. The Tribunal possesses the original file of the SS man, Albert Speer, who belonged to the personal staff of the SS Reichsfuehrer Himmler.

Speer held also a rather high rank in the Nazi party. In the party Chancellery, he was delegate for all technical questions, he headed the chief technical administration of the party, he directed the union of German National Socialist technicians, he was plenipotentiary on the Staff of Hess and a leader of one of the major German Labor Front organisations.

After all this can Speer's declaration that he was an apolitical specialist be taken into consideration? In reality, as a close collaborator of Hitler, Hess, Ley and Goering, he directed the German technique not only as Reichsminister, but also as a Nazi political leader.

H5158-0174

1435-PS
Transdr.
21.6.46
m.sess.
p.43-82
ev.sess.
p.20-82

USSR-480
USSR-482
USSR-483

Upon succeeding to Todt, Speer, as he expressed himself in his speech before the Gauleiters, devoted himself completely to the solution of war problems. By means of the pitiless exploitations of the population in the occupied territories and of the prisoners of war of the allied countries, at the expense of the health and lives of hundreds of thousands of people, Speer increased the production of armament and ammunition for the German army. By plundering the raw materials and other resources of the occupied territories, Speer increased the war potential of Hitler's Germany. His powers grew with every month of the war. By Hitler's Decree of 2.IX.1943 Speer became plenipotentiary and responsible for the supply of raw materials, for the direction and production of war industry. He was even commissioned to regulate the turnover of commodities and by Hitler's Decree of 24 August 1944 Speer was practically made dictator of all German Authorities in Germany as well as in the occupied territories whose activity was in any way connected with the strengthening of German military power.

Doc.def.
ag.119

And when the Fascist flyers bombed peaceful towns and villages, killing women, old men and children, when the German artillery bombarded Leningrad, when the Hitlerite pirates sank hospital ships, when the "V" bombs destroyed towns in England, all this came as a result of Speer's activity. Under his leadership, the production of gas and of other means of chemical warfare had been widely increased. The defendant himself, when interrogated by Justice Jackson at the trial, confessed three factories were turning out products for chemical warfare and that they were working at full speed till November 1944.

Doc.def.
v.II,p.123
USA-179
USA-225
PS-1292

Speer not only knew of the methods used by Sauckel for deporting to slave labor the populations from the occupied territories, but he himself took part, together with Sauckel, in conferences with Hitler and on the "Central Planning Board", where decisions were taken to deport millions of people to Germany from the occupied territories.

Doc.def.
v.II,p.88
Transcr.
12.XII 45
p.31 & 88
& USA-179

Speer kept up a close contact with Himmler: he received from Himmler prisoners for work in war factories; branches of concentration camps were organized in many factories subordinated to Speer; in recognition of Himmler's services Speer supplied the SS with expertenced specialist and with supplementary war equipment.

Speer has said a lot here about his having sharply criticized Hitler's environment, that he had allegedly had very serious dissensions with Hitler, and that, in his letters to Hitler, he had written about the uselessness of continuing the war. When the representative of the Soviet Prosecution asked Speer: which of the persons close to Hitler he had criticized and in what connection, the defendant answered: "I shall not tell you".

It is quite evident that Speer not only did not want, but could not tell it, for the simple reason that he had never criticized anyone who was close to Hitler. More, he could not criticize, as he was a convinced Nazi himself, and belonged to this close environment. As to the so-called "serious dissens ons", they began - as Speer admitted - when it became clear to him that Germany had lost the war. Speer 's letters to Hitler are dated March 1945. At that time Speer could, without great risk, depict Germany's hopeless condition. It was apparent to everyone and was no longer a subject of disscussion. And it was not by accident that Hitler appointed precisely Speer, on 30.III.1945, to direct measures for the total destruction of the industria enterprises, by obliging all Party, State and military offices to render him extensive help.

Doc. def. V.Ip.76-80

That is the true picture of the defendant Speer and the real part played by him in the crimes committed by Hitler's gang.

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H5158-0176

N E U R A T H

Constantine von NEURATH's part in the consolidation of the nazi conspirators power and in the preparation and realization of aggressive plans, is a remarkable one.

Over a period of many years, every time that traces had to be covered up, that acts of aggression were to be veiled by diplomatic manipulations, NEURATH - nazi diplomat and SS general, came to the help of the Hitlerites, bringing them his longstanding experience of world affairs.

I will recall the official evaluation of NEURATH's activity, as it appeared in all the news-papers of fascist Germany on the 2.II.1943.

SSR 485

"The departure from the Geneva disarmament conference on the 14 October 1933, the return of the Saar territory, and the proclamation and denunciation of the Locarno treaty will rank among the most outstanding political events since the coming to power of the Nazi regime. In these, Baron von NEURATH played a decisive part and his name will always be connected with them."

Transcr. ven.s. 5.6.46 .75 63 PS

In his capacity of Reich protector of Bohemia and Moravia NEURATH was to the Nazi conspirators, those "firm and reliable hands", of which general FRIDRICI wrote in his memorandum, and which were to turn the Czechoslovak republic into an "indissoluble part of Germany". In order to attain that object, NEURATH established the notorious "new order", the nature of which is now known to all and sunday.

NEURATH attempted to assert, here, that all the atrocities were committed by the police and Gestapo, upon Himmler's direct order, and that he knew nothing of them. It is quite understandable that NEURATH should say so, but one can hardly agree with him.

Interrogated on the 7 March 1946, Karl FRANK testified that NEURATH received regularly the reports of the Chief of Security Police, as well as those of FRANK himself, regarding the "most important events in the Protectorate, pertaining to the Security Police". He stated also that it was possible for NEURATH to issue directives to the Gestapo, and that he did indeed do so; whilst, as far as the SD was concerned, his rights were still more vast depending in no way upon the consent of the Main Reich Security Office (RSHD)

SSR 494

H5158-0177

Transcr. even. s. 25-6-1945 pp 78-79

I wish also to recall to your memory, paragraphs 11, 13 and 14 of the order issued on 1 September 1939 by the Reich Defense Counsel which prove that the Reichsfuehrer SS and Chief of the German Police carried out administrative measures in Bohemia and Moravia with the knowledge of the Reich Protector, and that the German Security Police organs in the Protectorate were obliged to inform the Reich Protector, as well as the offices subordinated to him and to keep them aware of all major events.

If I add that, on the 5-5-1939, the defendant NEURATH appointed an SD Fuehrer and Plenipotentiary of the Security Police to the post of political case reporter; if we recall the testimony of Richard WIENERT, the former Premier of Bohemia and Moravia under NEURATH, which has been read before the Court, to the effect that the Gestapo carried out arrests on orders of the Reich Protector - we can hardly have any doubt but that NEURATH gave his sanction to the mass arrests, summary executions and other inhuman acts, committed by the Gestapo and police in Czechoslovakia.

I will pass on to the events of the 17 November 1939, when 9 students were shot without trial, whilst over a thousand were hurled into concentration camps and all the Czech high schools and universities were closed for three years.

NEURATH said that he heard of these acts of terror post factum. But we have submitted to the Tribunal a report on the shooting and arrests of the students, which bears NEURATH's signature. NEURATH then seeks another loop-hole: he declares that FRANK signed this report in his, NEURATH's name, and to be more convincing, he even adds, that later he heard from an official that FRANK often misused his name in documents. Are NEURATH's statements to be credited? One has only to analyse briefly the actual facts, in order to answer this question in the negative:

NEURATH says that FRANK misused his name. What did NEURATH do in answer to this? Did he demand FRANK's resignation or his punishment for fraud? No. Did he, perhaps, report this forgeryofficially, to somebody? Neither. On the contrary, he continued to collaborate with FRANK as before.

NEURATH says that he heard of FRANK's misuses "from an official". Who is that official? What is his name? Why wasn't any application made to call him to the witness stand, or, at least to secure his written testimony? This is simply because nobody spoke to NEURATH of FRANK having forged his signature on the documents and nobody could have done so for there was no forgery.

H5158-0178

But on the contrary, the Tribunal has evidence which confirms the fact that the report of 17 November 1939 was signed by Neurath and th the terroristical measures mentioned therein, were actually sanctioned by Neurath. I am speaking of two statements of Karl Frank, who directly participated in these bloody events:

USSR-60 During his interrogation on 26 November 1945, Karl Frank testified:

"This document was dated November 1939 and was signed by von Neurath, who did not protest either against the shooting of the 9 students, or against the deportation of numerous students to the concentration camps'.

USSR-474 I quote Karl Frank's second testimony on this matter, dated 7 March 1946:

"By countersigning the official reports which informed him of the shooting of the students, the Reich Protector von Neurath, sanctioned this action. I informed von Neurath in detail of the course of the investigation and he signed the report. Had he not agreed and had he demanded a modification of the penalty, or its mitigation, and he had a right to do so, I would have been obliged to give in to his opinion".

In August 1939, in connection with the "special decree", by which he proclaimed Bohemia and Moravia to be an "integrant part of the Greater German Reich", Neurath issued a so called "warning",
USSR-490 therein he stipulated that "not only single persons but the entire Czech population would be responsible for all acts of sabotage". Thereby he established the principle of collective responsibility and introduced the hostages system. The events of 17 November 1939, considered in the light of this directive of Neurath, supply more irrefutable proof against the defendant.

Starting from the 1 September 1939 some 8.000 Czechs were arrested
USSR-60 as hostages in Bohemia and Moravia. The majority were sent to concentration camps, many were executed or died of hunger and torture. On this subject you have heard, Your Honours, the testimonies of Wienert, Kreitchi and Gavelka.

There is no doubt that these terror acts against the Czech intellectuals were carried out in conformity with NEURATH's "warning".

I do not need to relate in detail all the events which took place at Lidice, and later in the village of Lejaki, as they are already well known. Were not the German occupants acting in accordance with NEURATH's "warning", did they not conform themselves to his principle that the entire Czech population, and not the individual persons, must bear the responsibility!

It was NEURATH who initiated mass terror against the Czechoslovak population in August 1939. He has on his hands the blood of many thousands of women and men, children and old people, murdered and tortured to death. And I see no difference between Baron von NEURATH and the other ringleaders of the criminal Nazi regime.

H5158-0179

F R I T Z S C H E

The defendant Hans FRITZSCHE's part in conspiracy, the war cimes and the crimes against humanity, is certainly greater than it might appear at a first glance.

The criminal activity of FRITZSCHE, who was GOEBBELS' closest assistant, carried out systematically, day after day, was a very important link in the general plan or conspiracy and it contributed singularly to the creation of the conditions, under which the numerous crimes of the Nazis were conceived and cultivated.

All the attempts made by the defendant himself and his counsel in order to minimize his importance and the part he played in the perpetration of these crimes, have clearly failed.

In "Mein Kampf", HITLER describes the very special part attributed in nazi Germany to mendacious propaganda.

He writes: "The problem of the ressurection of German might can be defined not as to "How we will make weapons" but "How we will create the spirit which will make our people capable of bearing weapons". If this spirit invades the people, will power shall discover thousands of ways, and each, of them will lead to weapons" (I am quoting from pages 365-366 of "Mein Kampf", 64th. ed. 1933)

US 276

Neither is it an accident that at the 1936 Congress of the Nazi Party in Nuernberg, the following slogans were proclaimed:

"Propaganda helped us to come to power"

"Propaganda will help us to keep power"

"Propaganda will help us to conquer the world".

Owing to his position, the defendant FRITZSCHE was certainly one of the notorious propagandaists and also one of the best informed persons in nazi Germany. Besides he enjoyed GOEBBELS' particular confidence.

As we know, from 1938 to 1942, FRITZSCHE was head of one of the key departments of the Propaganda Ministry, that of the German Press. And ever since 1942 and until the defeat of nazi Germany, he was head of the German radio.

H5158-0180

Having grown up, as far as journalism is concerned, in the reactionary press of Hugenberg, Fritzsche, who was a member of the Nazi party since 1933, in his capacity of Government spokesman, played with his personal propaganda, an important part in the dissemination of nazism throughout Germany, and in the political and moral depravation of the German people.

USSR 472
USSR 471

This was testified to, in detail, by witnesses such as former fieldmarshal Ferdinand SCHOFRNER and former vice-admiral Hans VOSS.

The defendant FRITZSCHE's broadcasts, taken down by the BBC, and submitted to the Tribunal as document 3064 PS and USSR exhibit 496, fully confirm these charges of the Prosecution.

German propaganda in general, and the defendant FRITZSCHE in particular, made good use of provocational methods, lies and slanderous statements, and this was especially the case when Nazi Germany's acts of aggression had to be justified.

For didn't Hitler himself write in "Mein Kampf" page 302:

USA 276

"that with the help of an able and continuous application of propaganda, one can even picture to the people, heaven as being hell, and, on the contrary, the most sorrowful life can be pictured as heaven."

FRITZSCHE turned out to be the best man to carry out this dirty work.

In his declaration to the Tribunal, on the 7 January 1946, FRITZSCHE gave a detailed description of the provocative methods applied on such a vast scale by German propaganda and by him, personally, in connection with the acts of aggression against Austria, the Sudetenland, Bohemia and moravia, Poland and Jugoslavia.

3465 PS
USA 614

On the 9 April and the 2 May 1940, FRITZSCHE broadcast mendacious explanations of the reasons which led to the occupation of Norway by Germany. He declared:" Nobody was wounded, not one house was destroyed, life and work continued unhindered as before.-"

H5158-0181

Meanwhile, the official report presented by the Norwegian Government states: "The German attack against Norway on the 9 April 1940 brought war to Norway for the first time in 126 years. For 2 months, war was fought throughout the country, causing destructions. Over 40 thousand houses were damaged or destroyed and about 1000 civilians were killed".

German propaganda and Fritzsche, personally, spread insolent slander in connection with the sinking of the british passenger steamer "Athenia".

But German propaganda was particularly active on the occasion of nazi Germany's felonious attack upon the Soviet Union.

The defendant Fritzsche has attempted to assert that he first heard of the attack upon the Soviet Union, when he was called on the 22 June 1941, at 5 a.m. to a press conference held by Foreign Minister von Ribbentrop. As far as the aggressive purposes of this attack were concerned, he allegedly only had knowledge of them, as a result of his personal observations, in 1942.

1039 PS
USA 146

However, these statements are disavowed by such documentary evidence as the report of defendant Rosenberg. This document establishes the fact that a long time prior to the attack upon the USSR, Fritzsche knew of the appropriate measures which were being taken and that in his capacity of representative of the Propaganda Ministry, he participated in the working out by the Ministry for Occupied Eastern Territories of propaganda measures in the East.

In answer to the questions put to him by the Soviet Prosecution, during his cross-examination, Fritzsche stated that he would not have gone with Hitler, had he had knowledge of the Nazi government's criminal orders, of which he heard for the first time, here, in court. And here again, Fritzsche has told the International Military Tribunal a lie -

H5158-0182

H5158-0183

Thus he was compelled to admit that he had knowledge of the criminal nazi orders regarding the extermination of Jews and the shooting of Soviet commissars, as early as 1942. And yet, he continued, hereafter, to remain at his post and to spread mendacious propaganda.

In his broadcasts on the 16 Juhe and I July 1944, FRITZSCHE made a great
USSR 496 case of the utilization of new weapons, doing his best to whip up the army and the people to further senseless resistance.

And even on the eve of the crash of nazi Germany, on the 7 April 1945, FRITZSCHE broadcast an appeal to the German people to continue to resist the allied armies and to participate in the Werwolf-movement,

Thus, the defendant FRITZSCHE remained true to the last to the criminal nazi regime.

He gave his entire self to the task of realizing the nazi conspiracy and of perpetrating all the crimes which were conceived and carried out in view of putting that conspiracy into effect.

As an active participant of all the nazi crimes, he must bear the fullest responsibility for them.

H5158-0184

Your Honours,

All the defendants have passed before you - men without honour or conscience; men, who hurled the world into an abyss of misery and suffering and brought enormous calamities upon their own people.

Political adventurers, who stopped before no evil deed in order to achieve their criminal designs; cheap demagogues, who concealed their predatory plans behind a veil of mendacious ideas; henchmen, who murdered millions of innocent people, these men joined in a gang of conspirators, seizing power and transforming the German state machinery into an instrument of their crimes.

Now, the hour of reckoning has come.

For the past nine months, we have been observing the former rulers of fascist Germany. In the dock, before this court, they have suddenly become meek and humble. Some of them, even, actually condemned Hitler. But they blame Hitler, not for the launching of a war, not for the extermination of peoples and the plundering of states; the only thing they cannot forgive him - is Defeat. Together with Hitler, they were ready to exterminate millions of human beings, to enslave the elite of mankind in order to achieve their criminal aim of world domination.

But History judged otherwise: victory did not follow upon the steps of Crime. Victory came to the freedom-loving nations. Truth triumphed and we are proud to say that the justice which is meted out by the International Military Tribunal, will be the justice of the right cause of peace-loving nations.

The Defense spoke about humaneness. We know that the concepts of civilisation and humaneness, democracy and humaneness, peace and humaneness - are inseparable. But we, the defenders of civilisation, democracy and peace - we categorically reject insensible humaneness which is considerate of the murderers and indifferent to their victims. Counsel for KALTENBRUNNER also spoke here of love for one's fellow-men. Connected with KALTENBRUNNER's name and actions, all mention of love for one's fellow man, sounds like blasphemy.

My Lord, your Honours,

My statement concludes the case for the Prosecution speaking here on behalf of the peoples of the Union of Soviet Socialist Republics, I consider all the charges against the defendants as fully proven.

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And in the name of the sincere love of mankind which inspires the peoples who consented to the greatest sacrifices in order to save the world, freedom and culture, in memory of the millions of innocent human beings slaughtered by a gang of murderers, who are now before the Court of a progressive mankind, - I appeal to the Tribunal to sentence all the defendants without exception to the supreme penalty.

Such a verdict will be greeted with satisfaction by all progressive mankind.

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Rudenko (USSR) closing Speech (English)

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Russian